

THE
Faithful Register ;
Or, the Debates of the
House of Commons

In Four several
PARLIAMENTS;

- f 1. That held at *Westminster*, Octob.
21. 1680.
| 2. That held at *Oxford*, March 21,
1680.
Viz. | 3. That held at *Westminster*, the
19th. Day of May, 1685.
| 4. That of *November* the 9th. next
following, being the two Sessions
of King *James*.

WHEREIN,

The Points of *Prerogative*, *Priviledges*, *Po-
pish Designs*, *Standing Army*, *County-Mi-
litia*, *Supplies*, and other Grand *Miste-
ries* of State are Fully Discus'd

LONDON, Printed.

English Register

of the Parish of St. Martin

House of Commons

1701

STEWART

(1)

A

COLLECTION

Of some

DEBATES

In the

House of COMMONS

Assembled at *Westminster*, 1680.

The 26th of *October*.

Mr. Speaker,

Ld. R.

SIR, Seeing by *Gods Providence*, and His *Majesties Favour*, we are here assembled, to consult and advise about the great Affairs of the Kingdom, I humbly conceive it will become us to begin first with that which is of most consequence to our *King and Country*, and to take into consideration how to save the *main*, before we spend any time about *particulars*. Sir, I am of opinion that the *Life* of our *King*, the *Safety* of our *Country* and *Protestant Religion*, are in great
B danger

danger from Popery, and that either this *Parliament* must suppress the *Power* and *Growth* of *Popery*, or else that *Popery* will soon destroy not only *Parliaments*, but all that is *near* and *dear* to us. And therefore I humbly move, That we may resolve to take into our Consideration in the first place, *How to suppress Popery, and prevent a Popish Successour*; without which all our endeavours about other matters, will not signifye any thing, and therefore this justly challengeth the precedence.

Mr. Speaker,

Sir H.C. Sir, I stand up to second that Motion, and to give some Reasons, with your permission, why I agree in it, not doubting but other persons will be of the same Opinion, if they have the same Sentiments what influence the *Popish Party* have had in the management of most of our Affairs both at home and abroad for many years last past: And how that Party hath increased and been encouraged. Sir, I remember that after His Majesties happy Restauration, it was thought convenient that an *Act of Uniformity* should pass, as the best Law that could be invented to secure the Church from the danger of *Popery* and *Fanaticism*, and accordingly it did pass in the Year 1662, but in the Year 1663, some that then managed the great Affairs of State, or at least had great interest with His Majesty, were of another Opinion: For they had prevailed with him to grant a *Toleration* and *Indulgence*, and to make a *Declaration* to that purpose. The Parliament assembling soon after, thought it very strange, that in one Year an *Act of Uniformity* should be the best way to preserve the Church, and that

in

in the next Year a *Toleration* and *Indulgence*; therefore, after a serious debate about it, in *February* 1663. they made an Address to His Majesty, humbly representing how it would reflect upon the Wisdom of that Parliament, to have such an alteration made so soon, and that such *Proceedings*, for ought they could foresee, would end in *Popery*. Upon which His Majesty, out of his great goodness, stopt the issuing out of the said *Toleration*, hearkning rather to the advice of his Parliament, than to any *private Counsellors*. Sir, I cannot inform you who it was that gave that Advice to His Majesty; nor certainly affirm they were Popishly affected; but if I may take the liberty to judge of a Tree by its Fruit, I have some Reason to think so; because I find by *Coleman's* Letters, and other Discoveries, that a *Toleration* and *Indulgence* should be one of the great *Engines* they intended to use for the *establishing* of *Popery* in this Nation. But the Project thus failing at this time, they were forced to wait with patience until they could have another opportunity; employing in the mean time their *Diabolical* Counsels in weakening the Protestant Interest (in order to a general destruction of it) by *engaging* us in a War with *Holland*. In which the *French* acted the same part in the behalf of the *Dutch*, as they did afterwards in our behalf against them, 1672. very fairly looking on both times, while we poor Protestants with great fury *destroyed* one the other. But this was not so strange, nor so plain, as the *dividing* of our *Fleet* under the Command of Prince *Rupert* and General *Monk*, and the Design of *destroying* them as well as their Ships, and the rest of our

Navy Royal at *Chatham*. And as they thus acted their part at *Sea*, so they did not forget to do their best *ashore*; in *April 1666*, some persons that were then hanged, fairly confess they had been *treated* with, and had *treated* with others, to burn the City of *London* in *September* following, of which Confession we then took as little notice as we have of other Discoveries against Papists since; however, accordingly in *September*, *thirteen thousand* Houses of the City of *London* were burnt. And those that were taken in carrying on that Work, generously discharged without any *Trial*; and one Papist that confess, that himself and others did set the City on fire, was in great haste hanged, and so the business was *hushed* up, as completely as the late great *Plot* is like to be now, branding *Hubert*, that then made that Confession, with *Madness*; as now these last *Witnesses* with *Perjury*, *Sedition*, and what not. However these businesses were not so carried, but his Majesty discerned some of the Intrigues of them, which made him alter his Councils, and contrary to the Endeavours of that Party enter into new Alliances, by making up that excellent *League*, usually called the *Triple League*. Which put a stop to these mens Designs as to Affairs abroad, but not to their Designs here at home. For having obtained the *Oxford Act*, and some others against the *Dissenters*, great endeavours were used to have them Executed severely, in expectation that the *Dissenters* would so be made weary of living quietly under them, and in the end be glad of a Toleration; but the *Dissenters* deceived them, and submitted to the Laws, inasmuch that in

1670 to 1671 there was hardly a Conventicle to be heard of in *England*. And might never have been more, if that Party had not been afraid of a great disappointment thereby; wherefore to revive our *Divisions*, and to bring in (as they hoped) their own *Religion*, they employed all their force again to get a *Toleration*. I say they did it, because it cannot be imagin'd it could be from any Protestant Interest, both Church-men and Dissenters publicly declaring their detestation of it. And in 1672 it was obtained, Printed, and Published. After we had, in order to the carrying it on, broke that never to be forgotten *Tripple League, sacrificed our Honour to the French*, not only by making a *strong Alliance* with them, but by *seizing the Dutch Smyrna Fleet*, and then afterwards proclaiming War with them. Which War was continued in order to ruin us both; for the *French* proved but *lookers on at Sea* (as they had done when engaged with the *Dutch* in 1665) though great *Conquerours at Land*, especially of the *Protestants* in *Germany* and *Holland*. And as this *Toleration* was accompanied with these great alterations in Affairs abroad, so it was backt at home, with a great *Minister of State* at the Helm at home, who was so confident of the re-fixing Popery here, that he could not forbear to declare himself to be of that Religion, I mean my Lord Treasurer *Clifford*; as also, 2. With a great *Army at Black-Heath*, ready upon all occasions; and, 3. With the greatest violation on the Property of the Subject, that ever hapned in this Nation, the *seizing of One Milson and half*, or therabout, in the *Exchequer*. All which indeed

made our condition desperate, and, as many thought, past retrieve. But, Mr. *Speaker*, here again the Goodness and Wisdom of His Majesty saved us, refusing to follow such pernicious Counsels; upon which *Clifford* not only lost his Place, but his Life too, breaking his heart (as is by most believed) to see himself so disappointed in this great Design. And here, as we can never too much *detest* my Lord *Clifford*, and such others, who contrived our Ruin, so we can never sufficiently *admire* His Majesties Royal Care in working out our Security, by refusing to follow any Advice that tended to those Ends. And therefore, to the great disappointment of that Party, at the Request of the House of Commons at their next Meeting, He *recalled* the said *Toleration*, *disbanded* the Army, and in convenient time *made a Peace* with *Holland*. But though this Party were thus defeated of their Design, yet not so discouraged as to give it over. They changed their Measures, but not their Principles, and although they desisted from further aiming at a *Toleration*, yet they no ways neglected pursuing a *Reformation*, but in order thereto prosecuted a Correspondence formerly begun for that purpose with the *French King*, and by promising him considerable Supplies to carry on the War he was then engaged in, secured themselves, as they thought, of his assistance for settling of Popery here. Accordingly, it is not unknown, what a Party of Men, and what Quantity of Ammunition, and other Necessaries for War, were sent to the *French King*, during the War he was then engaged in, and how it was done contrary to the

advice of the *Parliament*, and the *Solicitations* of most of the *Princes of Europe*, and true Interest of *England*, to the astonishment of all good men; especially because it was contrary to his *Majesties* own *Proclamation*, and when the *French* had declared they made that *War* for Religion, endeavouring to force the *Dutch* to allow of *Popish* Churches. However, such was the strength of this Party, that this Assistance was continued until the *French King* was willing to make a Peace, and then who more instrumental than our Ministers to effect it. Several *Embassadors*, and *Plenipotentiaries* too, being sent as well to the Court of *Spain*, as *Germany* and *Holland*, for that purpose. And at last, the *Dutch* being weary, and consumed with the *War*, they were persuaded to be willing of a Peace, and accordingly, the 10th of *January*, 1677. entered into a Treaty with us for a general Peace, to be accomplished by such ways and means as are therein prescribed. Which *League* was kept private for some time, and instead of any Discovery thereof, about the end of *February* following (the *Parliament* being then soon after to assemble) a great noise was made of entering into a *War* with *France*, it being concluded, that nothing like that would incline the *Parliament* to give Money, nor the *People* freely to part with it, because it was the only way to extinguish those fears they lay under, by reason of the growing greatness of *France*. At the meeting of the *Parliament*, the Project was set on foot with all the art and industry imaginable, and so far were the major part of the Members persuaded of the reality thereof,

that they were inclinable to give a great Sum of Money for the carrying on of the War; but while they were in consultation about it, the *League* formerly mention'd, agreed at the *Hague*, was unluckily made (in some measure) publick, and occasion'd a great jealousy of the reality of the pretended War. And the greater, because upon an inquiry they could not find there were any Alliances made to that purpose. And yet notwithstanding this, and the great endeavours of some worthy Members of that Parliament (now of this;) an Army of thirty thousand men were raised, and a *Tax* of above 120000 pound was given. And then, instead of a *War*, a general *Pace* according to that Treaty agreed with *Holland*, was presently made. By which that Party thought they had secured not only the power of *France*, but the Men and Money here raised at home, to be made serviceable for their ends; there wanting nothing but a *Papish King* to perfect all these Designs. For which we have great reason to believe they had made all necessary preparation, as well by employing Men and Money to find out wicked Instruments to take away the King's Life, as by providing one *Claypool* to be a Sacrifice, to make an *atonement* for the Act, and to *cast* the wickedness thereof on the *Phanatics*. To which purpose the said *Claypool* was really imprison'd some time before in the Tower, upon the Evidence of two *Witnesses*, that he should say, that he and two hundred more had engaged to kill the King the next time he went to *New-Market*. For which in all probability he had as really been hanged, if the breaking out of the Plot had

had not prevented their Designs. Then was *Claypool* the next Term after publicly cleared at the *Kings-Bench Bar*, the *Winneſſes* appearing no more againſt him. Thus were we again reduced to a miſerable condition, but it pleaſed God, by the Diſcovery of the Plot by Dr. *Oates*, once more to ſave us; whole Evidence (he being but one *Winneſſ*) they thought at firſt to have out-braved, but ſome of them being ſo infatuated as to kill *Juſtice Coſſrey*, and *Coleman* ſo unfortunate as to leave ſome of his important *Partners* in his Houſe, notwithstanding the time he had to convey them away, it wrought ſo great a fermentation in the People, as that there was no remedy, but that the further purſuit of the Plot muſt be again laid aſide, and a fair face put upon things. And ſo accordingly there was for a few Months, but how after *Wakeman's* Tryal things turn'd again, what endeavours have been ſince uſed to ridicule the Plot, to diſparge the old *Winneſſes*, to diſcourage new ones, to ſet up *Presbyterian Plots*, and to increaſe our Diviſions, I ſuppoſe muſt be freſh in every man's memory here, and therefore I ſhall not offer to trouble you therewith.

But, Sir, I cannot conclude, without begging your patience, while I obſerve how things have been carried on in *Scotland* and *Ireland*, anſwerable to what was done here.

In *Ireland* the *Papiſts* are at leaſt five to one in number for the *Proteſtants*, and may probably derive from their Cradle an inclination to maſſacre them again; at leaſt the *Proteſtants* have no Security, but by having the *Militia-Arms*, and the command of *Towns* and *Forts* in their hands.

But

But about the same time, or a little before that the *Toleration* came out here in 1672, an *Order* of the Loyalty and affection of the Papists to his Majesty, required the Lord Lieutenant and Council to *disfence* with the *Papists* wearing of *Arms*, and living in *Corporations*, and a great many other things in their favour; of which they have made such use, as that the Plot there was in as good readines, as that here; but how carried on, and how endeavours were there also used to stifle it, will appear, when your leisure may permit you to examine those *Witnesses*.

In *Scotland*, the Government is quite alter'd, the use of *Parliaments* in a manner abolished, and the Power of that Government lodged in a *Commissioner* and Council, a standing Army of *Twenty thousand* men settled, all endeavours used to divide the *Protestant Interest*, and to encourage the *Papists*. By which we may conclude, that the same interest hath had a great hand in the management of affairs there also.

And, Sir, may we not as well believe, that the World was at first made of *Atoms*, or by chance, without the help of an Omnipotent hand, as that these affairs in this our little World have been thus carried on, so many years together, so contrary to our true interest, without some great Original Cause, by which the Popish interest hath so far got the ascendant of the Protestant interest, that notwithstanding all his Majesties endeavours, things have been strangely over-ruled in favour of that Party; how and which way, his Majesties Declaration made in

in April 1679, is to me a great Manifestation.

Sir, I hope the weight of the Matter I have discountred on, will plead my pardon with the House for having troubled you so long, I submit what I have said to your Judgment, humbly desiring a favourable construction, and although I have said some things that are very strange, and other things grounded only on Conjectures, yet I believe that no man will have just reason to doubt the probability of the truth, if they will but consider, what a potent Friend the Papists have had of *James Duke of York*; and how *imbolstered* by the hopes of having him for King. And as it is not to be doubted but that they have had his Assistance, so they have had the *French* Embassadors too, who by his frequency at the *Palace*, hath seemed rather *one of the Family and Kings Household*, than a *Foreign Ambassador*, and by his egress and regrefs to and from his Majesty, rather a *prime Minister of State of this Kingdom* than a *Councillor to another Prince*. And the truth of all hath been so confirm'd by *Coleman's Letters*, making the Dukes interest, the *French* interest, and the Papists interest, so much one, and by the many Witnesses that have come in about the Plot, that I think we may rather be at a loss for our Remedy, than in doubt of our Disease. And therefore, though I know the Difficulties I may bring my self under, by having thus laid open some mens designs, yet seeing my King and Country have called me to this Service, I am resolved, that as my *Father lost his Life for King Charles the First*, so I will not be afraid to *adventure mine for King Charles the Second*, and that makes me expose my self in his Service in this place.

Sir,

Sir, I think (seeing things are thus) with-
out neglecting our Duty to our King and Coun-
try, say so our God too, we cannot desert en-
deavouring the securing of the Kings Person,
and Protestant Religion, by all lawful means
whatsoever; and therefore I second the Motion
that was made, That we may, in the first place,
take into our Consideration, how to suppress
Popery, and prevent a *Papish Successour*; that so
we may never return again to Superstition, Ido-
latry, and Slavery, but may always preserve
that pure Religion, to be the Religion of this
Nation, for which so many of our Fore-fathers
have suffer'd Martyrdom, I mean the Pro-
testant Religion, as long as the Sun and Moon
endure.

Mr. Speaker,

Sir F. W. Sir, the *Papish Party* have not only
had a great influence on the management of our
Affairs, both Foreign and Domestick, while
they could do it under a disguise, but notwith-
standing the discovery of their whole Plot, have
ever since gone on triumphant, as if they were not
afraid of any opposition that can be made against
them. Although the most part of *Doctor Oates*
his Discovery was no news to most Men; and
the great Correspondence which *Coleman* had
held with Foreign parts, had been generally
observed for some years; yet what difficulties
were there raised against believing of *Oates* his
Testimony, and against apprehending of *Coleman's*
Person, and seizing of his *Papers*, by which
he had opportunity to carry away the most
part, and by that means prevented a great
deal of Evidence, which we should otherwise
have

have had againſt that Parry; though by chance he left enough to hang himſelf. And as their Power, or the reſpect which was born them, appeared in this; ſo their great Confidence in the never to be forgotten Death of Sir Edmond-bury Godfrey, which doubtleſs they accompliſhed, as to *conceal Evidence*, ſo to *intimidate Juſtices* and others, from doing their Duty, with great aſſurance, that thoſe who did it ſhould never have been brought to Juſtice. And I muſt confeſs, we took a ſtrange unheard of way, either to do that, or prevent the going on of the Plot: For in *October* after the Plot broke out, no leſs than Fifty ſeven Commiſſions were diſcovered for raiſing of Souldiers, granted to ſeveral *Po-piſh Recuſants*, with Warrants to Muſter without *taking the Oaths of Allegiance and Supremacy*, or *Tell*; Counter-Signed by the then *Secretary of State*. Of which the *Parliament* taking notice, they were ſoon after Diſſolved in the midſt of the Examination of the Plot. And the next that was called, though compoſed of true *Engliſh* Gentlemen, as ſoon as they fell ſevere upon Popery, had no better Succeſs; certainly, Sir, not by the Prevalency or Advice of any true *Engliſh* Profeſſants; and who then may be preſumed to have given ſuch Advice, I leave to your judgment. Theſe *two* Parliaments being thus Diſſolved, a *third* was Summoned, but was not permitted to ſit, but on the contrary put off by ſeveral Prorogations. At which the People being diſcontented, their Fears and Jealouſies ariſing from the *Papiſts* increaſing, from which they knew they could not be effectually ſecured but by a Parliament; ſeveral Counties and Ci-

ties joyned in Petitioning his Majesty for a Parliament. But it being foreseen that every thing that tended to make way for the meeting of Parliaments, was dangerous, such was the influence of that Party, as that they obtained a *Proclamation*, penned I think by *Coleman* himself, or by some body that had no more love for the Protestant Religion than he, forbidding Petitioning as Seditious and Tumultuous. And that nothing should be wanting to shew their power, at length by the endeavours of some great men, some credulous and ambitious men were drawn in to be *Abhorers*. Good God! where was these mens Sences, that in a time when the Nation was in such eminent dangers, there should be any good Protestant that should abhor Petitioning for a Parliament? But I hope this House will have a time to speak with those Gentlemen, and mark them with the Brand they deserve. And now, that it may be found that there were a good estate of credulous people that might be wrought upon, it was thought high time to *have a Counter-plot*, that might swallow up that of the *Papists*, and restore them to their former Credit. How far this was carried on by good men and bad, I am loth to particularize; but I cannot but observe, that *Dangerfield* had more Money and Encouragement given while he was carrying on of that Plot, than I could ever hear he hath had since the discovery of it. But though it be not strange, that the Papists should be so wicked, as to contrive such a design, for the casting of the Plot upon the Protestants, though with the loss of so many honest mens lives, as was intended; yet it is strange to see how willing many

Protestants, especially of those who have reason to think themselves of the best sort, were to believe it, and how little pleased with Dangerfield, for the great service he did in discovering that wicked Plot. So Powerful and so lucky are the Popish Party, in insuing of Animosities amongst us, tending to divide us, and so willing are we to entertain them to our destruction. And as the Popish Party have been very industrious in the contriving of Reports and Plots to remove the ill Reports they lie under, and have had a great influence in managing of Parliamentary Affairs, so we may presume they have of late had in the dispensing of Justice, as may appear by considering what hath been done by our Judges of late.

*At Wakemans Tryal, those persons who at former Tryals had been treated with that respect that is due to the Kings Evidence, and whose Credit and Reputation had stood clear without exception in all other Tryals, were now not only brow-beaten, but their Evidence presented to the Jury, as doubtful, and not to be depended on, and so at all other Tryals of Papists from that time forward. By which many of the greatest Offenders were quitted and cleared as to the Plot, and those that were brought for defaming the Kings Evidence, and suborning Witnesses, in order thereto, very kindly treated, and discharged with easie Sentences, especially if Papists; but if Protestants, though only for Printing or Vending some Unlicensed Book, were imprisoned and largely fined. But, I beg leave to particularize in the case of one Care, who was indicted for Printing a weekly Intelligence, called, *The Packet of Advice from Rome, or, The History of Popery.* This*

man had a strange knack of writing extraordinary well upon that Subject, and the Paper was by most persons thought not only very ingenious, but also very useful at this time for the information of the People, because it laid open very intelligibly the Errors and Cheats of that Church. However, upon an Information given to the Court of Kings-Bench against this *Care*; this Rule was made.

Ordinatum est, quod Liber intitulat, The weekly Packet, &c. non ulterius imprimatur, vel publicetur per aliquam personam quamcunque. Per Cur.

I think it amounts to little less than a total prohibition of printing any thing against Popery.

The true *English Protestants* being thus prevented of having Parliaments to redress their grievances, and to secure them against the fears of *Popery*, as also for *Petitioning* for *Parliaments*, or writing for the Protestant Religion, they had recourse to their old way of presenting Grievances by *Juries*. But advice being given that some great *Papists* were concern'd in the *Presentment*, particularly the Duke of York, the *Jury* was dismissed in an extrajudicial manner, and so no remedy in the world allowed for poor Protestants. What an Unhappy Star were we born under, that things should be thus carried against us, in the whole course of our Government, whilst we have a wife Protestant King over us? What may not be expected under a Popish King, if it should be our misfortune to have any? And therefore

I think, Sir, we ought to endeavour to prevent it, by consulting in the first place how to suppress Popery, and prevent a Popish Successor; which is my humble Motion.

Mr. Speaker.

R. M. Sir, you have heard what an influence the Popish Party hath had in the management of all our Affairs of greatest importance, almost ever since his Majesties happy Restoration, how the making of Peace, or War, and foreign Alliances, hath been over-ruled by that Party, to the great danger of the Nation, and Protestant Religion both at home and abroad. Inasmuch as it may be justly feared, that there is a general design to root out that Religion from the face of the Earth; which may not be difficult to be done, if by establishing Popery here, assistance to the Protestants abroad may be prevented, or by destroying the Protestants abroad (which are to many bulwarks to us) we should be left to resist alone. You have also heard how that Party hath influenced the Resolutions made touching Parliaments and Affairs here at home. The truth is, Sir, that Interest is crept into our Courts, and hath a great power in our Councils, it is crept into our Courts of Justice, and hath a great Command in our Army, our Navy, our Forts, and our Castles, and into all places upon which our security depends. And it is impossible it should be otherwise, as long as we have a Popish Successor, and that party the hopes of a Popish King. And I humbly conceive that it is very obvious, that as long as that party hath such a power, not only our Religion, but the Life of his Majesty and the whole Government is in danger. And therefore

I think we cannot better comply with our duty to our King and Country, than in resolving to use our utmost endeavours to extirpate Popery, and prevent a Popish Successor, and therefore I would desire you would be pleased to put the Question.

Resolved, *That it is the Opinion of this House, that they ought in the first place to proceed effectually to Suppress Popery, and prevent a Popish Successor.*

The 27th of October. 1680.

Mr. Speaker.

H. B. **S**IR, yesterday you made a Resolve, Declaring what you intended to do in reference to Popery, by which you may conclude, you have made many enemies at Court, or of such as usually frequent it. And it may justly be expected, that they will rather use their endeavours to *destroy* you than permit you to *destroy them*. And if we may take our measures from the power they have discovered, in the dissolution of the last Parliaments, and many Prorogations of this, in a time when there was never more need for the *Sitting of Parliaments*, because of the great danger that did arise from that party, we may conclude, it may be possible for them to do the like again. Therefore, that we may not be wanting in doing what we can, in order to create in his Majesty a good Opinion of this House; let us make an humble Address to his Majesty, to assure him of our Loyalty.

city, and readiness to stand by him with our Lives and Fortunes. And that when his Majesty shall be pleased to grant us such Bills, as are absolutely necessary for the security of the Protestant Religion, we will be ready to supply him with what Money his occasions may require, for the support of his Government, and the Protestant Religion both at home and abroad.

Sir, I do not move this without some reason, I am jealous that those which are for the Popish Interest, do endeavour to represent this *Parliament* to his Majesty Phanaical and Seditious, that we will do nothing but arraign his Government, wound his Ministers, destroy his Brother, and endanger his Royal Person, and that no supplies can be expected from us. Which false suggestions of that Wicked Party, we may do well to prevent. And therefore, I humbly move you, that a Committee may be appointed to draw up some such Address upon the debate of the House.

To which several persons made Opposition, alledging that in the late *long Parliament*, they had often been drawn in, to give Money by such Addresses, and that in that Parliament no such Addresses was ever made but it ended in Money, because the word of a *House of Commons* pledged to the King, is always to be understood, as may best preserve the reputation of the House, which ought to be kept inviolable.

It was answered, That it was not strange that it was so in the *long Parliament*, being composed of so many *Pensioners*, who were to have a share of what they gave, but the case

being now altered and the Parliament composed of Persons that disdained such Wicked practices, and the House being Masters of their own Votes, there could be no danger of making such an Address in that House.

Resolved, *That an address be made to his Majesty, declaring the resolution of this House, to preserve and Support the Kings Person and Government, and the Protestant Religion at home and abroad.*

Mr. Speaker.

Sir G. G. I crave leave to mind you of a great Infringement which hath been made of the Liberty of the Subject, since the last Session of Parliament. Sir, many good Protestants thinking it very strange, that *two Parliaments* should be Dissolved, without doing any thing material against Popery, and a third so often Prorogued in a time of such eminent danger; and foreseeing the Ruin such delays might bring upon them, Resolved to Petition his Majesty, and accordingly in several Counties and Corporations, Petitions, humbly praying his Majesty *to let the Parliament Sit*, were drawn up, and Signed by many Thousands of his Majesties good Subjects, in a peaceable and quiet way, and delivered to his Majesty by no greater Number of Persons than is allowed. But although this was conformable to Law, and the duty of good Subjects, considering what danger his Majesties Person and the Protestant Religion was in, yet it was traduced to his Majesty as Seditious and Tumultuous, and *forbidden by a Proclamation*, and great affronts and discouragements given to such, as either promoted or delivered the said Petitions,

Petitions, and at last several persons in many places were set up to declare at the Assizes, and other publick places, an Abhorrency and Dereliction of such Petitioning.

Sir, I humbly conceive the Subjects of *England* have an undoubted right to Petition his Majesty for the Sitting of *Parliaments*, and redressing of Grievances; and that considering the Circumstances we are under, we have no reason to lose it. If it should be our unhappiness to have a *Popish King*, may he not be surrounded with *Popish Counsellors*, so as that poor Protestant Subjects may be debarred of all other ways whatsoever of making known our complaints to him, and must we lose this too? Sir, I think it so necessary, and material a Priviledge of the Subject, as that we ought without loss of time to assert our rights to it, and therefore I humbly move you to make some Vote to that purpose.

Mr. *Speaker*.

Sir *F. W.* Sir, I am not only of opinion with that worthy Member that spoke last, as to making a Vote for Asserting the right of the Subject to Petition their Prince, but also for chastising of those who have been so wicked and abominable, as to traduce it and abhor it. And to that purpose, I think, Sir, it will be convenient that we find out who advised or drew that Proclamation against it, and examin how a Petition that was made in *Berkshire*, was order'd to be taken off the File at a quarter Sessions, if worthy to be so called, there being but four Justices of the Peace, and two of them such obscure Persons as I cannot get their Names. And as-

to make some inspection into those *Addressees* that have been made against *Petitioning*, and by whom contrived, signed, or delivered. But this must be a work of time; for the present, I humbly move you to pass one Vote to assert the right of the Subject to Petition the King, another of Censure on those persons that have introduced it, and to appoint a Committee for your further proceeding herein.

Resolved, *That it is, and ever hath been the undoubted right of the Subjects of England, to Petition the King, for the calling and sitting of Parliaments, and redressing of Grievances.*

Resolved, *That to traduce such Petitioning as a Violation of Duty, and to represent it to his Majesty as Tumultuous or Seditious, is to betray the Liberty of the Subject, and contributes to the Design of Subverting the ancient Legal Constitution of this Kingdom, and inducing Arbitrary Power.*

Resolved, *That a Committee be appointed to enquire after all such Persons, that have offended against the Right of the Subject.*

Mr. Speaker.

S. T. Sir, I am very glad these Votes have pass'd so Unanimously; for *Popery* and *Arbitrary Government* can never be set up in this Nation, if we could be sure of frequent *Parliaments*. And therefore the asserting of the right of the Subject in any thing which tends to that, may be of great use to this Nation. But, Sir, seeing you have taken this business into your consideration, I think we may do well to go a little

tle further with it even at this time. I am informed some Members of the House are Guilty of having acted contrary to these Votes, and I am of opinion, that as *they* were not *willing* that *we should sit here*, so that *we* should be as *willing not to have them sit amongst us*. For if it were a great crime in others, much more in those that were chosen to assert the Rights and Liberties of the People. It is very unlikely that Men of such Principles should make good Parliament-Men, and I think it will very well consist with the Justice of the House to begin with a Reformation amongst our selves, and therefore I humbly move we may first proceed against such.

Being commanded to name such Members, he named Sir *Francis Withins*, who not being in the House, was ordered to attend the next day. Where, after he was heard in his place, was ordered to withdraw, and *Censured to receive the Sentence of the House upon his Knees, and to be expelled the House.*

The Second of November.

SIR *Francis Winnington* made a Report of what was found in the Lords Journal relating to the horrid Popish Plot.

Mr. *Treby* reports what by order of the secret Committee he reported to the last Parliament, relating to the Popish Plot.

After some Debates thereupon,

Resolved, That the Duke of York's being a Papist, and the hopes of his coming such to the Crown, hath given the greatest countenance and encouragement to the present Designs and Conspiracies against the King and Protestant Religion.

Resolved, That in defence of the King's Person and Government, and Protestant Religion, this House doth declare that they will stand by his Majesty with their Lives and Fortunes, and that if his Majesty should come to any violent Death, which God forbid, they will revenge it to the utmost on the Papists.

Mr. Speaker.

S. T. Sir, I have observed from the Reports that have been read, and all the Evidence that I have heard about the Popish Plot, that it hath its *Original*, as you have Voted, from *James Duke of York*, and it is not probable in my opinion, that the *Popish Interest* can ever decline, as long as there is a *Popish Successor*, and they have such hopes of his coming to the Crown; and therefore I humbly move you, that a Committee be appointed to draw up a Bill to disable *James Duke of York*, from Inheriting the imperial Crown of this Realm.

Id. R. Sir, If we consider the train of ill consequences, that attend the having of a *Popish Successor*, and the certain miseries that must fall on this Nation, if ever we should have a *Popish King*; and how impossible the one, or improbable that the other can be prevented, but by *disinheriting the Duke of York*: I think that as we cannot

cannot disagree, as to the sadnels of our condition, so it will be hard to find out any other way to secure us; and therefore I second the motion that was made by that worthy Member, that a Committee be appointed to bring in a *Bill to disinherit James Duke of York*.

Mr. Speaker.

W. H. Sir, I think we shall do ill to be meal-mouthed, when our throats are in such danger; therefore I will not be afraid to speak out, when speaking plain English is necessary to save our King and Country. Have we not heard, and is it not apparently true; that Peace, and War, Foreign Alliances, Meetings, Dissolutions, and Prorogations of Parliaments, Tryals at *Wells-minster-Hall*, Resolutions in Council, and other things of Importance, have been influenced by a Popish Party, or Interest; and can we, Sir, imagin that these great things should be done by a Iels man, *than James Duke of York*? Hath not the examination of the Plot, in which the King's Life and all our safeties is so much concern'd, been kept off to admiration, and the Wicnesses discouraged even to despair? Have not Counter-Plots been set up, and carried on with a strong hand, and false Wicnesses in abundance to destroy the true ones? From what Cause can such strange unheard of Effects proceed, but from the Power and Influence of a *Popish Successour*? And we have no great reason to admire at it, if we consider how usual it is for *Politicians* to be given to flattery, and to be led by Ambition, and how natural it is for Courtiers and great Ministers of State to worship the rising Sun, And, Sir, is it not casie to foresee

foresee what great miseries may come to this Kingdom by such kind of managements; can any man imagin, that as long as *there is a Popish Successor*, *there will not be a Popish Interest*, and that by his assistance it shall not be strong enough to contest with the Protestant Interest. Or rather have we not seen it for many years already; and how can it be otherways, as long as no Office small or great is disposed of without his approbation; no, not so much as *preference in our Protestant Church*. And I think unless you can *destroy that in which the Interest centers*, you will never *destroy the Interest it self*.

Sir, I have no ill for the *Duke's* Person, but rather a great veneration, as he is descended from our past, and as Brother to our present King. But I think it ought not to stand in competition with my Duty to my King and Country; which can never be safe as long as this Interest is so pre-dominate. And I think there is no other way to suppress it, but by going to the roots first; and therefore I agree in the Motion that hath been made for appointing a Committee to bring in a *Bill to disinherit James Duke of York*.

Mr. Speaker.

W. G. Sir, I agree with those worthy Members, that have spoke to this present business, that Popery hath for a long time had a great Influence in the management of our Affairs; and that the Protestant Religion and Government of the Nation, is much in danger thereby. But I hope that the prudence of this House may find out some Expedient to secure the Nation, more likely to be brought to perfection, than this of the Exclusion Bill. We all know, that
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his Majesty in his Speech at the opening of the Session, and formerly hath declared, that he will consent to any thing you shall offer for the security of the Protestant Religion : provided it consist with preserving the Succession in the due Legal course of Descent. As his Majesty is Gracious to us, so I know we are all willing to carry our selves with all Respects and Duty to him ; he offers you to consent to all other ways you can propose, but seems resolved not to consent to this way you are now upon. For my part, Sir, I am more afraid of an Army without a General, than of a General without an Army, and therefore I think, that if, instead of ordering a Committee to bring in a Bill for disinheriting of the Duke, you bring in a Bill for banishing all the Papists out of this Nation, and other Bills for the having of frequent Parliaments, and to secure good Judges and Justices, that so the Laws you have already, as well as what more you may make, may be duly executed, it may do as well, and be more likely to have good success. And therefore I would humbly move you, that we may try these other ways, and not offer to put this hardship upon his Majesty, seeing he hath declared against this Bill, lest by displeasing his Majesty we should interrupt all other Affairs, which at this time may be very unfortunate to this Nation, and our Neighbours too. The Eyes of Christendom are upon the Success of this Meeting, and the Peace, Quietness, and Honour of the Nation much depends thereon ; and therefore, if the going on with this Bill should occasion a breach (which

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for several reasons I am much afraid of) it may prove one of the greatest misfortunes that could befall us. Sir, *Moderation* in all things, will always become this House, but especially in a business of so high a Nature. The Duke hath not yet been either heard or found Guilty, how can we then answer the passing of so severe a Sentence; we ought to be very careful in a business of this nature, that we do nothing but what may we be able to answer to the whole World. And therefore, Sir, I think that seeing his Majesty hath declared, that he will not agree with us in this Bill, and other Bills may be as effectual; I would humbly move you to think of some other way, and for that purpose to appoint a day to have it debated in a Committee of the whole House.

Mr. *Speaker*.

Sir H. C. Sir, I cannot agree with that worthy Member that spoke last, and yet I have formerly given some proof that I have been for *Moderation*, and God willing shall always be for it, when it may do good. In the two last Parliaments I did so argue for moderation, that many of my Friends told me that I had deserted the true Interest of my King and Country; but as the Loyalty which I pretend to derive from my Birth, made me slight such surmises, so it shall always preponderate with me in all my actions. Sir, I am of opinion that this is a case, in which there is no room for moderation, it by moderation be meant the making of any other Law for the security of our Religion. Because, according to the best judgment I can make upon a full consideration of the matter,

matter, all other Bills that can be desired, without this Bill, will not prove effectual; but will leave us in that unhappy condition, of contesting with the influence of a Popish Successor during this King's Life, and with the Power of a Popish King hereafter. Of what danger this may be to his Majesties Person at present, and the Protestant Religion for the future, I leave to every one to judge. It hath been said, that take away the Army, and you need not fear the General, but I say that a General that hath the Power of a King, will never want an Army. And our condition is so bad, that I am afraid we shall not be safe, without being free of the General and Army too; which I think, Sir, as the case stands, we ought in prudence to do, or else I am afraid we shall give but a bad account to our Country, of having done any thing to the purpose for the securing of our Religion. And therefore I am of opinion, you are under a necessity of having this Bill brought in.

Mr. Speaker.

S. T. Sir, I observe that the arguments that have been offer'd against the bringing in of this Bill, are ground'd on his Majesties Speech, and on a supposition that other Bills may be as sufficient for our security, and more easily obtain'd, seeing his Majesty hath so often declared that he will not consent to altering the Succession from its legal course of Descent. Sir, the King calleth his Parliament to give him advice, and they cannot therein be restrain'd, but may give any advice which they think may be necessary for the security of his Person and Government. And it hath oftentimes hapned that

that Parliaments before now have many times offer'd such Advice to the Kings of this Nation, as have not been grateful to them at first, and yet after mature Deliberation, hath been well resented, and found absolutely necessary. When *Clifford*, or who else it was, had perswaded his Majesty to grant a Toleration in 1672. and to tell the Parliament in his Speech then made to them, that he would stand by it, and make it good, yet that House of Commons finding it of dangerous Consequence, and humbly offering such their Advice to his Majesty, he was pleas'd notwithstanding the said Speech, to cancel the said Toleration. And if he had not, (as we are in a bad case now) so we might have been in a worse then. For ought I know, if that House of Commons had been so great Courtiers, as not to have concern'd themselves in that Toleration because of his Majesties Speech, the Nation might have been ruin'd by Papists before this. And I think we are now under as great danger, and I hope we shall not be less courageous, nor true-hearted. If a man were sick of a Plurisie, and nothing could save his Life but bleeding, would it not be strange if his Physician, after having pretended that he is hearty for his cure, should allow him all other Remedies but bleeding. Nothing like this can be presumed of his Majesty, of whose Wisdom and Goodness we have had so great Experience. And as to the second Branch of the Supposition, that other Laws may secure us as well, I have not heard any Arguments offer'd to make it good, and I must confess I cannot apprehend there can be any. I am sure the Expe-

science of former times, shews us the contrary. It is plain from them, that *Popish Princes have not thought themselves bound by any Laws against the Interest of that Church, and our Fore-fathers have found to their Sorrow, that the Strength of our Laws were not sufficient to defend them against Popish Tyrannies.* For no Prince of that Religion ever yet thought himself bound to keep Faith with Hereticks. After *Queen Mary* had seriously pledged her *Royal Word* to the *Suffolk* men, to allow them their Religion, by which they became the greatest Instruments of putting the *Crown on her Head*, did she not in return put the *Crown of Martyrdom on theirs.* All other Laws that you can propose in this Case must be grounded on some trust or fidelity that must be reposed in that party, for which no Argument can be given, but that they never kept any Faith with Hereticks, and therefore that we may do well to try what they will do. This I might prove by a sad melancholy account of the Massacres at *Piedmont, Paris, and Ireland*, but I suppose the History of them is well known to every one here, and therefore I will not trouble you therewith.

We are advised to be moderate, and I think we ought to be so, but I do not take Moderation to be a prudent Virtue in all cases that may happen. If I were fighting to save my Life, and the Lives of my Wife and Children, should I do it moderately? If I were riding on a Road to save my Throat from Thieves, and I should be advised to ride moderately lest I spoil'd my Horse, would not such advice seem strange at such a time? and so certainly would it be, if I were

were in a Ship (which may well be compared to a Commonwealth,) and it were Sinking, would not the advice to pump moderately for fear of a Fever seem strange? But, Sir, I admire, seeing moderation is so much talked-off of late, and so much recommended, *Why there cannot be other Objects found out, on whom to place it, as well as on the Papists. I know not why it should not be as agreeable to Christian Charity, and more for the Protestant Interest at this time, because it may tend to Union, to place it on the Protestant Dissenters, seeing we agree with most of them in points of Faith, and only differ about a few Ceremonies.* The moderate and meekest man that ever was, seeing an Egyptian struggling with an Israelite, he slew the Egyptian, but at another time seeing an Israelite struggling with an Israelite, it is recorded in holy Writ, he parted them, saying they were Brethren. Of late many are at work to persuade us, that the Church hath no Weapons but prayers and tears, this is a notion come up amongst us since the breaking out of the Plot, and as far I can observe, is only to hold good against Popery, for against Protestant Dissenters we have always had and can still find other Weapons. Sir, I will not trouble you farther, but conclude with my Motion for bringing in of the Bill.

H. made a Speech reflecting on the Duke and Lord Clarendon for making up the March for the King, as if they did it because they foresaw that the Queen would have no Children, and particularly on the Duke for the loss of my Lord Sandwich, for clearing of persons taken in the fire of London, the death of Sir Edmundbury Godfrey, &c.

Mr.

Mr. Speaker, I am sorry to see a matter of so great importance managed in this House with so much bitterness on the one hand, and with so much jesting and mirth on the other, I think it a serious thing we are about, and that more Gravity would very well become, not only this House, but the Subject of the debate also. It is to me very unpleasant, to hear a Prince that hath so well deserv'd of this Nation, by fighting our Battels, and so often appearing for us in War, so upbraided. I am apt to think he was far from being of Opinion the Queen would have no Children, and that he scorned any of those other Actions that have been laid to his Charge, and therefore to hear such things said is a great provocation. But being I know where I am, I will lay my hand upon my mouth. But I hope you will pardon me, if to comply with the obligation of Nature, I declare my self much concern'd to see the Ashes of my dear Father thus raked out of the Dust, and to hear his memory blasted by an affirmation which cannot be proved. Because I am confident he was not guilty. He and his Family suffer'd enough by his misfortunes, occasion'd by dark Interests and Intrigues of State. Many think he was severely chastised while living; I am sorry to see that some others cannot spare him though dead. But for my comfort, I have heard that he was a good Protestant, a good Chancellor, and that we have had worse Ministers of State since. But I will not trouble you farther, but apply myself to the Business under debate. Sir, I am of opinion, that the bringing in of this Bill will be

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a great hindrance to the business of the Nation, and not attain your end. And also I am concern'd for the Justice of the House, for though the Duke deserve great mortifications, because he hath given so great a suspicion of his being inclined to that Religion, and I believe doth not expect to come now to the Crown, on such Terms as formerly, but with such limitations as may secure the Protestant Religion; yet I think it very hard for this House, to offer at so great a Condemnation without hearing the Person concern'd, or having had any preceding Process. For my own part, I make it a great question, whether it would be binding to him, or a great many other Loyal Persons of this Nation; and if not, it may occasion hereafter a Civil War. And without any just fear, or cause; for the King may very well out-live the Duke, and then all that we are about would be unnecessary; and why should we, to prevent that which may never happen, attempt to do that which we can never answer, either to our King or Country. I cannot apprehend that our case is so desperate, but that we may secure our selves some other way, without overturning Foundations. I cannot fear a General without an Army. By ridding our selves of all other Papists, we may be safe, making such other Laws to bind the Duke, as may be necessary, by the Name of *James Duke of York*, which, and the small Revenues which belong to the Crown, without the assistance of Parliaments, with such other Laws as may be contrived, I humbly conceive may be sufficient for our security, and therefore it ought to be considered in a Committee of

of the whole House, that such as are for these Expedients, may have more freedom of debate.

Mr. Speaker,

S. T. Sir, I must beg your leave to speak again, according to the Orders of the House, being reflected on. I can assure you, Sir, that what I have said upon this Subject, is so far from proceeding from a merry jolly Humour, that it is rather from as great Sorrow as ever my heart endured, being very sensible what Dangers we have undergone, and what Miseries we may hereafter suffer by means of the Duke's being of this Religion. I hope, Sir, that Offences that protect from Natural Infirmities, will always find a favourable Construction in this House. If that Honourable Member that spoke last, had but considered, that all men have not that good Fortune to be born with such a grave, inelastic, sober Aspect as that, let them say what they will, it looks serious and weighty, he would not have been offended at my Discourse; but, Sir, for the satisfaction of the House, that I am not in jest in this business, I do declare, that I should be very sorry to be thus jested with myself.

Mr. Speaker,

Sir I. J. Sir, the Question that ariseth from this Debate, is, whether we had best proceed by an extremity, or by Expedients. For I look on this Bill to be of the highest Nature that ever was proposed in an House of Commons, and the greatest Extremity imaginable, which I humbly conceive we ought not to proceed to, till we have made some Trial of Expedients, which will be very useful. For it will give a

great satisfaction, not only to his Majesty, but to all other Persons in general that are against this Bill, by which the World will see that we were very cautious, how we offer'd at such an extremity, and that we did not do it until we had found all other ways and means whatsoever insufficient. I must confess, Sir, I think such a Bill would be against Law and Conscience, and that nothing less than an Army will be necessary to support it, and therefore I humbly move you, that we may debate this Business in a Committee.

Mr. Speaker,

B. Sir, I admire to hear that Honourable Member make a doubt as to the *Legality* of this Bill; certainly, Sir, our Legislative Power is unbounded, and we may offer to the Lords, and so to his Majesty, what Bills we think good. And it can as little be doubted, that the *Legislative Power of the Nation*, KING, LORDS, and COMMONS, should want a Law to make Laws; or that any Laws should be against what Laws they make. Otherways they cannot be Legally oppos'd. And, as I think it cannot be against Law, so neither against Conscience, unless it could be made out, that we ought in Conscience to bring in Popery. I should be very glad to hear any Arguments to make good what hath been offer'd about Expedients, but I am afraid when they come to be examin'd to the bottom, they will be found very insufficient, and that we may as well think of catching a Lyon with a Mouse-Trap, as to secure our selves against Popery by any Laws without the Exclusion Bill. Have we not to do with a sort of people, that cannot be bound by any Law

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or Contract whatsoever? much less can their words or promises be depended on; are they not under all the Obligations that can be offer'd from the temptations of this Life, as of that to come, not to keep Faith with Hereticks, but to break it when it may tend to the Promoting of the Catholick Cause? And if Laws cannot bind other Persons, much less will it Princes that are of the Catholick Religion? Did they ever keep any League or Contract that was made with Protestants, longer than was necessary in order to cut their Throats? What use did the Papists make in *Ireland* of the Favours granted them by King *Charles* the First, did they not make use of it to the Destruction of the Protestants, by rising up in Rebellion and Massacring 100000. Sir, I see things go hard against Popery, I know not what to say to it, but I am afraid that if we should be so insatiated, as to let it creep on more and more upon us, and at last let it ascend the Throne again, that we shall soon have the same miserable fortune our Forefathers had in *Queen Marys* Days; and be burnt in Smith-field for our Indiscretion.

Sir, we are upon a business of as great importance as ever was debated within these Walls, for either we must suppress Popery, or be suppressed by it. For although that Interest do not look so big, as that of the Protestants, yet I plainly see that it hath wrought like a Mole under ground for a long time, and that it hath eaten into our Bowels, and will soon come to the vital parts of the Protestant Religion, and destroy it too, if great care be not taken,

and that speedily. I hear some say, that our Cares are needless at this time, because the King may out-live the Duke, which is as much as to say, there is no need of Laws against Popery, until we see whether we shall have occasion to make use of them or no. But they do not tell us, how we should be sure then to obtain them. I must confess such Arguments are so far from weighing with me, as that they increase my fears, because it discovers a strange ease, careless, indifferent Humour among us Protestants. Must our Lives, Liberties and Religion depend upon may-bees? I hope it is not come to that yet, I am sure it will not consist with the prudence of this Assembly to leave it so, but rather to endeavour to settle this matter upon such a Foundation, as may (with as much probability as Humane things are capable of) secure us. I am of Opinion, that such an Engine may be contrived as should give such a whistle to the Popish Interest, as that it should never rise up against us again; I know of no Difficulty but the same which hapned to *Archimedes*, where to fix it. And I am not altogether as a loss for that neither; for so long as we have a good King I will not despair. And, Sir, I cannot fear any of those things that are objected against this Bill, that it is against Law, and therefore will occasion a Civil War; For my part, I will never fear a Civil War in favour of Idolatry, especially when we have gotten a Leap on our side to defend our Religion. Therefore I move you that the Bill may be brought in.

Mr. Speaker,

Sir T. P. Sir, I have read in Scripture of one man dying

dying for a Nation, but never of Three Nations dying for one man; which is like to be our case. There hath been already so much said on this matter, and the Reasons that have been given for the bringing in of the Bill are so plain, that I should not have troubled you to have said any thing about it, but that I knew not how to have answered it to that great City for which I serve, not to have appeared in this business, in which the Protestant Religion is so much concern'd. But, Sir, being I am up, I will beg leave to acquaint you, that I have been lately in Company with a great many persons, where I have heard the Duke cry'd up, and the King so flattered, that I must confess they made me afraid, they had thoughts of acting over here what was lately done in Portugal. Believe it, Sir, many are very industrious to make an Interest for the Duke; if we should not use our endeavours to keep up the King's Interest, and that of the Protestant Religion, I am afraid they will be encouraged to embroyl us in Blood before we are aware of it. I have no patience to think of sitting still, while my Throat is a cutting; and therefore I pray, Sir, let us endeavour to have Laws that may enable us to defend our selves. And I know not, how we can have any that are like to prove effectual, without this for excluding James Duke of York; and therefore I humbly move it may be brought in.

Mr. Speaker,

E. S. Sir, I have by many years Experience observed, that it is very agreeable to the Custom, Prudence, and Justice of this House, to debate all things very well before a question is

put, but especially of great importance. It hath formerly been thought a great thing, and hard to be born by some Princes, that any thing relating to the Prerogative of the Crown, should be debated any where but in their Privy Council, and I have observed that former Parliaments have done it with a great deal of tenderness. And if so, well may a Bill that tends to the alteration of the Succession, pretend to the right of having a full and fair debate, which I hope this Solemn Assembly will not deny. Many being to take their Resolutions from it in as great a point as ever was debated in a House of Commons, for which we shall be answerable to our own Consciences, as well as to our King and Country. It is these great Considerations make me trouble you at this time, otherwise I might happily have been silent, because I am one of those that have been shot at by Wind-Guns, which have prejudiced my reputation, and therefore until I should have had an Opportunity to vindicate my self, and to shew that I am an Enemy both to Popery and Arbitrary Government; I was more inclin'd to have been silent, and should not have troubled you, if the Nature of this business had not laid on me a more than ordinary compulsion. I do not doubt but every one that sits here, is willing to take notice of what arguments may be offer'd *pro* or *con*, it being the only way to pass a Right Judgment in this matter, which is very necessary, because what Resolution you may take upon this debate, will be examin'd not only within his Majesties Dominions, but by most Princes and Politicians in *Europe*. And therefore that

that you ground your Resolution on such solid Reason, that may endure the Test of a Plenary Examination, will be very necessary for the securing the Credit of this House, of which I know you are very tender.

Sir, I must confess I am very much against the bringing in of this Bill, for I think it a very unfortunate thing, that whereas his Majesty hath prohibited but one thing only, that we should so soon fall upon it. I do not see there is any cause, why we should fear Popery so much, as to make us run into such an extrem. We are assured there can be no danger during his Majesties Life, so upon an Impartial Examination, we shall find there can be no great reason to fear it after his Death, though the Duke should out-live and succeed him, and be of that Religion. Have we not had great Experience of his Love for this Nation, hath he not always squared his Actions by the exactest Rules of Justice and Moderation? Is there not a possibility of being of the Church, and not of the Court of Rome? Hath he not bred up his Children in the Protestant Religion; and shewed a great respect for all Persons of that Profession? Would it not be a dangerous thing for him (I mean in point of Interest) to offer at any such alteration of the Religion establish'd by Law? Can any man imagine that it can be attempted without great hazard of utterly destroying both himself and his Family? And can so indiscreet an attempt be expected from a Prince, so abounding in Prudence and Wisdom? But though we should resolve to have no Moderation in our Proceedings against Papists, yet I

hope

I hope we shall have some for our selves. It cannot be imagined that such a *Law will bind all* here in *England*, any in *Scotland*; and it is disputed whether it will be *binding in Ireland*; so that in probability it will not only divide us amongst our selves; but the Three Kingdoms one from the other, and occasion a miserable Civil War. For it cannot be imagined, that the Duke will submit to it. And to dishneric him for his Religion, is not only to act according to the Popish Principles, but to give cause for a War with all the Catholick Princes in *Europe*; and that must occasion a standing Army, from whom there will be more danger of Popery and Arbitrary Government, than from a Popish Successour, or a Popish King. Sir, it is very agreeable to the weight of the Matter, and the usual Proceedings of this House, that this business should be fully debated; and therefore I humbly move you it may be in a Committee.

Sir R. G. made a long Discourse, shewing the Dangers and Miseries of a Civil War, by a large Account of those between *York* and *Lancaster*. That this Bill, if it should pass, would lay a Foundation for such another. That it would not be binding either to *Scotland* or *Ireland*, and so consequently occasion a Division between the Three Kingdoms, which had formerly been the occasion of Wars and Miseries, as well as our own Divisions amongst our selves. Then gave an Historical Account, to make out how fatal Divisions had proved to other Nations, and instanced in *Theodosius*, and others. That he thought it absolutely necessary, if this Bill must be brought

brought in, to prevent a Civil War, that the Successour should be named, which would need a great deal of consideration; and if to debate business of smaller importance, it is usual for the House to resolve it self into a Committee, how could it be answered, that it should not be done in a business of so great importance, that so Expedients might be offered and debated with more freedom and satisfaction than it was possible they could be in the House.

Mr. Speaker,

Sir W. P. Sir, I am of Opinion, that *Expedients in Politics* are like *Mountbain-tricks in Physick*; as the one does seldom good to Bodies Natural, so not the other to Bodies Politick. Government is a weighty thing, and cannot be supported nor preserved but by such Pillars as have neither flaws nor cracks, and placed on a sure Foundation. And I am afraid, that all Expedients will be found to have far different Qualifications. I cannot foresee how the excluding of one person who hath a Right to the Succession depending upon Contingencies, upon such an account as this is, should occasion a Civil War, but rather do think there is a great deal more danger, not only of a Civil War, but of our Religion and Liberty too, if we should not do it, and so have a Popish King. For I do believe, that such a King would soon have a Popish Council. For if there be Eleven to Seven now for the interest of a Popish Successour, what may you not expect when you have a Popish King? And should you not then soon have Popish Judges, Justices, Deputy-Lieutenants, Commanders at Sea and Land, nay, and Popish Bishops too. For if

if there be none put into any of these places now, that are for acting against a Popish Successour, well may we expect that none shall be put in then, but what are for a Popish King. And therefore I am obliged to hear any man that pretends to be a Protestant, argue, that in such a case we need not fear Popery; for it is indeed to argue for Popery, and must proceed from an opinion that the Protestant Interest is very low, and not able to bear up longer against Popery, or else that Protestants are very credulous and inconsiderate, and may be brought to destroy themselves with their own hands. Must our Religion and Liberty have no Security but what depends on the Vertues and Goodness of a Prince, who will be in subjection to the Pope, and probably influenced by none but Jesuits and such Creatures? will it seem strange that such a Prince should compose his Privy Council of Persons inclined to that Religion, or that he should employ any others as Judges, Justices, Sheriffs, or Commanders in any place of Trust either at Land or Sea? And can we think that by the many endeavours which will be used, that the Common People will not be debauched, and either be mis-lead, or made indifferent in a little while? Is it not in the power of the King to nominate his Counsellors, Judges, Sheriffs, Commanders at Sea and Land, and can it be imagined that he will not take care to nominate such as shall be for his turn? Certainly, Sir, no man can imagin that the Protestant Religion can long be preserved under such a King, but such as cannot or will not see at a distance what a change such a Scheme of Government will soon produce, and how likely it

is, that it will be set up and practised, if ever we should have a Popish King. And as I do think that our Religion can never be secured without this Bill, so I do not fear that it will occasion any Civil War, or any Division between this Kingdom, *Scotland*, or *Ireland*; but rather I believe it will be a means to reconcile the Protestant Interest, and to settle the Government upon such a Bottom as will prove invincible. In *Scotland* the major part of the People hate Popery as well as we, and so do the Protestants in *Ireland*; and therefore certainly it will be their Interest to joyn with us against a Common Enemy, and not to divide. And whereas it hath been suggested, that this Bill will ingage us in a War against all Catholick Princes, I look upon it as a Bugbear, and do believethat we shall gain many Friends by being settled as we may by having this Bill, because then we may be formidable to our Enemies, and serviceable to our Allies, but never without it. And, Sir, this is not to disinherit a man for his Religion, but because he hath rendered himself incapable to govern us, according to our Laws, which, whether it proceed from his Religion, or any thing else, is all one to us. His being incapable is the ground for our Proceedings, having no other way to preserve our selves. Upon the whole matter I do conclude, that a Popish King and a Protestant Religion are irreconcilable, and have no reason to fear a Civil War, so long as we have a Law for our defence, and a Protestant King to head us, which we cannot expect without passing some such Bill as this under debate. And therefore I humbly move you it may be brought in.

Mr.

D. F. Mr. *Speaker*. Sir, the business you are debating is of so high a Nature, that I cannot tell how to speak to it without fear and trembling. To go about to alter the Succession of the Crown, must be of great concernment to all *English* men; and therefore ought to be considered with a great deal of Deliberation, for which the Justice; Prudence, and Usage of this House calls aloud, there never having been any business debated in this House, in which so much Care was required. Sir, I am unsatisfied with my self; how we can in Justice pass any such Bill as is proposed; for I never heard of any Law, which made an Opinion in Religion a Cause to be dispossess of Right; in former times it was not so, though there were Princes and Emperours that were Apostates. And *Queen Elizabeth* would not allow of putting any such thing in practice, but rather chose to proceed against *Mary Queen of Scots*, according to the settled Laws of the Nation. This Nation hath been so unfortunate as to cut off one King already, let us have a Care how we cut off the Right of another. There is a possibility that the Duke may return to the Protestant Religion, let us not exclude him from such temptations as may be convenient to reduce him. But whatever should be your Resolution at last, I humbly conceive there can be no Reason given, why a business of this weight should not be debated in a Committee, before you Vote the bringing in of the Bill, that so the Validity of such other Expedients as may be proposed, may be examin'd, and the Reasons for and against this Bill be digested as they ought to be. How shall we otherwise Answer it to His Majesty, who hath

offer'd

offered you every thing but this? If there were a motion made for a Bill to give Money, would it not probably be debated in a Committee; by this Bill we are going to give away the Right of a Crown, which I take to be more than Money; and therefore I humbly move you that it may be further debated in a Committee.

Mr. Speaker,

H. B. Have not the Papists always proceeded against the Protestants with a Barbarity surmounting the worst of *Heathens*? And must we be so mighty careful how we proceed to hinder them from ruling over us, as that we must stumble at every Straw; and be afraid of every Bush. A man that is in an House that is on Fire, will leap out at a Window rather than be burnt. I do admire how any person, that doth know with what Treachery and Inhumanity the Papists behaved themselves in the *Massacres of Piedmont, Paris, and Ireland*, their Cruelties in *Queen Maries Days*, lately on Sir *Edmundbury Godfrey*, and what they had designed against the King, and all of us, can offer any thing to delay, much more to hinder, what is so precisely necessary for the good of the King and Kingdom; especially seeing in this we shall do nothing, but what may be justified by many Laws and Precedents. And if there were none, of which I know there are a great many that are liable to no objection, yet I take it, *That the Law of Nature, and self-preservation would afford us sufficient Arguments.* I think the Sun is not more visible at noon-day, than that the Papists have a design to extirpate our Religion, and that they have done great things in order thereto, even now
while

while we live under the Government of a Protestant King, by some invisible Power that hath strangely acted its part in favour of that Interest, in all our Councils and Resolutions in Affairs of greatest Importance; and it is as plain that this is so, because there is a Popish Successor, and that their Interest will never decline as long as there is such a Successor, and the hopes of a Popish King. And now that by the watchful providence of God, these things have been made so plain to us, is it not strange that any man should go about to persuade us to be so neglectful and inconsiderate, as to sit still and look on, while the Papists are putting their Chains about our Arms, and Ropes about our Necks, which must be the consequence of permitting a Popish King to ascend the Throne, against which there can be no Law to secure us but this. In *Edward the Sixth*, and *Queen Mary*, and *Queen Elizabeth's* days, was not the Religion of the Prince the Religion of the Nation? did not most of the Privy Counsellors and great Ministers of State, and some Bishops too, change with the times? Is it not customary for great men to insinuate and flatter their Princes, by being of their Religion? On what must we ground our hopes of Security, in such a Case? On nothing, Sir, but on a Civil War, which such a Prince must certainly occasion. But I do not fear it from this Bill, but rather think it the only way to prevent it, not doubting but that there will be People enough that will give obedience to it, sufficient to execute the Law on such as may be refractory; if any, which can only be Papists, and such as may be popishly affected. The Objects as to a Civil War, and Disobedi-

disobedience to this Law, may as well be made against any other severe Law that we may attempt to make against Papists, and must we therefore let them all alone? I hope we shall not be so inconsiderate, but as we have discovered that their Weapons are near our throats, so that we shall not acquiesce in any thing less than what may secure us, that so, if possible, we may not fall into the hands of such a bloody merciless people, which must infallibly be the consequence of having a Popish King.

And Sir, as we have much to say for the having of this Bill, so for not having our time lost by going into a Committee at this time about it. When the Bill is brought in, there will be time enough to hear of other Expedients, if any Member will then offer any, of which they will now have time to consider, that so they may be offered particularly, and not only in general. For it doth not consist with the gravity of the House, that they should be put out of their Method they are most inclined to, without good cause. I am afraid there can be no Expedients offered in this case, that can be sufficient, unless such as may shake the Throne as to all future Kings. And I hope we shall be cautious how we enter into any such debate; for if you should, you may be sure your enemies will take advantage thereof. And therefore I am rather for the Bill.

Mr. Speaker,

J. T. Sir, have not Popish Kings, as well in other Countries as here, alwaies brought in a Popish Religion? and have we any reason to suppose the like will not happen here, if ever we should have a King of that Religion? Have

we not undeniable proof, that the great thing designed, by endeavouring at a Popish King, is the rooting out of Herse out of these three Nations? and is not *Rome* and *France* engaged to give their assistance therein, as well as the great parties at home, not only of profess Papists, but of some who profess themselves Protestants, but are so but in *Masquerade*? And do they not say that they have so cletched and riveted their Interest, as that God nor Man cannot prevent their accomplishing their design? And shall we be so indiscreet as to let it creep on thus upon us, and not endeavour to remedy our selves? Let it never be said of this House of Commons, that they were so stupid or negligent of their duty to their Country, or so indifferent in their Religion, or Preservation of their Liberties, as to forget so great a concern. If when we have done what we can, we should be conquer'd by force, or deceived by such little arts and tricks as may be used, a patient Submission to Gods Providence must follow. But to be the occasion of our own destruction, by being supine and inconsiderate, will never be answered to Posterity.

He then justified the legality of the Bill, by a long Catalogue of Presidents, making out, that the Succession of the Crown had been oftentimes altered by Act of Parliament upon less occasions than this, and concluded with a motion for bringing in of the Bill.

Resolved, *That a Bill be brought in to disabie the Duke of York to inherit the Imperial Crown of this Realm.*

The 4th of November, 1680.

A Bill to disable James Duke of York to Inheri the Imperial Crowns of England and Ireland, and the Dominions thereto belonging, was read the first time.

Mr. Speaker,

Sir L. J. I have spent much of my time in studying the *Laws* of this *Land*, and I pretend to know something of the *Laws* of *Foreign Countries*, as well as of our own; And I have upon this occasion well considered of them, but cannot find how we can justifie the passing of this Bill, rather much against it.

First, I think it is contrary to natural Justice, that we should proceed to Condemnation, not only before Conviction, but before we have heard the Party, or Examined any Witnesses about him, I am sure none in his defence. And to do this, by making a new Law of purpose, when you have old Laws in being, that have appointed a Punishment to his Crime, I humbly conceive is very severe, and contrary to the usual proceedings of this House, and the Birth-right of every English-man.

Secondly, I think it is contrary to the Principles of our Religion, that we should dispossess a man of his right, because he differs in point of Faith. For it is not agreed by all, that Dominion is founded in Grace. For my part I think there is more of Popery in this Bill, then there can possibly be in the Nation without

it; for none but *Papists* and *Fish-Monarchy-men*, did ever go about to dishnerit men for their Religion.

Thirdly, I am of opinion that the *Kings of England* have their Right from God alone, and that no Power on Earth can deprive them of it. And I hope this House will not attempt to do any thing, which is so precisely contrary not only to the Law of God, but the Law of the Land too. For if this Bill should pass, it would change the Essence of the Monarchy, and make the Crown Elective. For by the same reason that this Parliament may dishnerit this Prince for his Religion, other *Parliaments* may dishnerit another, upon some other pretence which they may suggest, and so consequently by such exclusions elect whom they please.

Fourthly, It is against the Oath of Allegiance, taken in its own sense, without *Jesuitical* Evasions. For by binding all Persons to the King, his Heirs and Successors, the Duke as presumptive Heir must be understood. And I am of opinion, it cannot be dispensed withal. Sir, I will be very cautious how I dispute the Power of Parliaments. I know the Legislative Power is very great, and it ought to be so. But yet I am of opinion, that Parliaments cannot dishnerit the Heir of the Crown, and that if such an Act should pass, it would be invalid in it self. And therefore I hope it will not seem strange, that I should offer my judgment against this Bill, while it is in debate, in which I think I do that which is my duty as a Member of this House.

Henry the Fourth of France was a Protestant, his people most Papists, who used some endeavours to prevent his coming to the Crown ; but when they found they were not like to perfect their Design without occasioning a Civil War, they desisted, concluding that a Civil War would probably bring on them more misery, than a King of a different Religion, and therefore submitted. Sir, I hope we shall not permit our passion to guide us instead of reason, and therefore I humbly move you to throw out the Bill.

Mr. Speaker,

R. M. Sir, the Honourable Member that spoke last, may understand very much of the Laws of other Countries, and Foreign Affairs, but I am apt to think not much of the Laws of this Nation, or else he would not argue that this is a Popish Bill, when it is the only thing that can save this King and Kingdom, and the Protestant Religion, which I hope will never come to that extremity as to need any thing that is Popish to save it. For my part I am so far from thinking that this Bill is so unanswerable as hath been argued, that I think this House of Commons will get as much Credit by passing of this Bill, as that in 1665 did by passing that which brought home the King. *For as the one restored him, so the other may preserve him, and nothing less.* And therefore I think, Sir, you ought not to delay the giving it a second reading, but appoint a speedy day for it.

Mr. Speaker,

J. H. Sir, I do not understand how it can be construed, because we go about to disunhe-

rit the Duke, that therefore it must be for his Religion. For my part I do approve of the Bill, but it is because the Opinions and Principles of the Papists tend to the alteration of the Government, and Religion of this Nation, and the introducing, instead thereof, Superstition and Idolatry, and a Foreign Arbitrary Power. If it were not for that, I am apt to think the Duke's being a Papist would not be thought a sufficient Cause for this House to spend time about this Bill. And I cannot see the danger of reducing the Government to be Elective by it; for why should we presume that any thing, but the like Cause, should have the like Effect? *Though the Succession of the Crown hath been formerly often changed by Acts of Parliament, yet hitherto it hath not made the Crown Elective, why must we fear it now? Neither can I apprehend, that the passing of this Bill is contrary to Natural Justice; because we have not heard what the Duke hath to say for himself. The Presidents that might be offer'd to make out, that the Parliaments have when they thought good condemn'd Persons by Bill, are numerous, and without any hearing too. But if there were none, to doubt the Power of the Legislative Authority of the Nation, in that or any other case, is to suppose such a weakness in our Government, so inconsistent with the Prudence of our Ancestors and Common Reason, as cannot well be imagin'd. And I do not think we are going about to do any such strange thing neither, but what would be done in other Countries upon the like occasion; but do believe, that if the Dolphin of France, or*

Infant of Spain were Protestants, and had for near 20 years together endeavour'd the setting up of another Interest and Religion, contrary to the Interest of those Kings, and the Catholick Religion, especially if such endeavours had been accompanied with such success as here, and those Nations had been so often by such means reduced so near to Ruin as we have been by Divisions, Tolerations, Burnings, Plots, and Sham-Plots at home, and by Wars and Foreign Alliances over-ruled in their favour abroad, but that they would have been more impatient than we have been for this Remedy. And for my own part, I cannot but admire more at the long delay there hath been in seeking out a Remedy against this great Evil, than at our offering at this Bill. For notwithstanding what hath been said, I cannot think our danger so remote or uncertain, as some would suppose it. *Can the King be safe as long as the Papists know that there is nothing but his Life stands in their way, of having a King to their mind, which is the only thing they want to go on with, their Designs, and to accomplish their Expectations? Will it then be an easie thing to withstand such an enraged barbarous People? The more false and unreasonable their Religion is, the more cruelly will be necessary to establish it. Can it be imagin'd we shall not pay severely, for having shed so much blood of their Martyrs, as they call them, and for having enjoyed their Holy Church-Land so long, or that they will not do all that they shall think necessary to secure an entire and quiet Possession to themselves? For my own part, I cannot imagin that the Pride*

of those Church-men will be satisfied with any thing less than an utter Ruin and extirpation of us and our Posterities. Add I think that nothing can save us but this Exclusion Bill, and thereby I humbly move you to appoint a speedy day for a second reading.

Resolved, That the said Bill be read a second time, on Saturday Morning at Ten of the Clock.

The 6th of November 1680.

A Bill to disable James Duke of York to Interin the Imperial Crown of England and Ireland, was read a second time.

Sir R. T. made several objections against the Tenour of the Bill, as not answering the intention of the House, shewing how, (if not altered) it would occasion an *Interregnum*, and that the Clause for limiting the Exclusion to the Person of the Duke only, was not well drawn.

Mt. Speaker,

Sir L. J. in my humble opinion, the Body and whole Tenour of this Bill carrieth with it a great reflection on the whole *English* Nation. For to suppose that one person is able to turn us about to *Papery*, is to suppose that we are either very imprudent, or irresolute, or that we have no great love, but are rather very indifferent in our Religion. And if we may thus dishonour the presumptive Heir, not only the Royal Family,

Family, but the whole Nation, will be subject by such a precedent to many inconveniences. For by the same reasons the like may be done hereafter upon any other pretence. For, Sir, though we know that this House is composed of Persons that have a great veneration for the *Royal Family*, yet we know not what may happen hereafter; but if some such Bill as this must pass, I humbly conceive there is a great necessity of naming a *Successor*, and not leave that in dispute, lest an *interregnum* or Civil War happen thereupon.

Mr. *Speaker*,

H. B. Sir, because I am of opinion that nothing can at this time be so prejudicial to the Profligate Interest, as to be at a stand, or go backward with this Bill, therefore I should be sorry to see that we should enter upon any Debate of clogging it with any thing, that may occasion any delay. There may be more difficulty in agreeing about the Proviso's and Declarations that will be necessary in naming a Successour, than to agree about the Bill it self. And we cannot make the Law plainer than it is in that case. We intend by this Bill nothing but an Exclusion of *James Duke of York*, as the only Expedient that can help us in the Exigency the Nation lies under, and it being intended only as an Expedient in reference to him only, and that the Bill shall have nothing in it that can relate to or prejudice the next of Kin, I do not see how there ariseth from that any difficulty more than there was before as to the Succession. And therefore, Sir, let us not confound the Bill with needless Additions. I confess, Sir, I

am

am one of those that am in pain until this Bill be pass'd. For the King hath his Breach in his Nostrils as well as other Men, and although we have all much reason to pray for his long life, so to fear it too: And nothing can tend so much to the securing of his life, as the passing of this Bill; nor ours after his, For how shall we be able so defend our selves against Popery without it? Therefore I humbly move you that we may not spend our time about any such Additions, but commit the Bill.

Mr. *Speaker*,

D. F. Sir, I have already given you many Reasons against the Bill it self, but more do offer from the wording of it; the excluding the Duke will not give a Right to the next Heir to take possession of the Crown while the Duke is living, and therefore unless you name a Successor, it will either prove ineffectual, or cause a great disturbance in the Nation by an *Interregnum*. And, Sir, as this part of the Bill is too weak, so the other is too strong: For as it is now penn'd, it may probably exclude all the Duke's Children, at leastwise leave it so, as that it may prove a great Question, which I suppose you do not intend. Then he stated several Cases in Law, to prove what he had said; and concluded that it was in order to have it further considered at a Committee.

Mr. *Speaker*,

S. T. Sir, I do not see how you can name a Successor, unless you can in the same Act prohibit the Queen from having of Children, the King from marrying again, the Duke from having of Sons, which would not be more preposterous,

rous, than the many. Proviso's which otherwise the Act would require to secure such Issue their Right, which would probably make the Remedy worse than the Disease. And I think, Sir, that in a case of this importance you will be careful how you make Laws that shall be liable to so many difficulties and disputes. And therefore you had better rely on the old Laws you have, than make new ones to perplex the Case. And I do not see how the excluding of the Duke only, can any way infect the Right which his Children may have to the Succession. And therefore I think there is no need of naming a Successour, but let the Bill be committed, and to a Committee of the whole House; and there it may be further debated if necessary.

Mr. Speaker,

Sir R. H. Sir, I tremble to hear so much discourse about the King's death and naming him a Successour, certainly the like was never known in any former Age, but rather it was looked on as so dangerous a thing to be discounted of, as that none durst attempt it, whatever the occasion were. *Queen Elizabeth* concluded, that the naming of a Successour to the Crown, would be digging a Grave for her; and therefore I hope we shall never go so far as to put it into an Act. I am for shewing a great respect for the Duke and his Children, but I think we are first bound in Duty to the King, and therefore ought first to shew our Respects to him. *Some persons, in my poor opinion, have shewed so much zeal for the Duke's Interest, that I am afraid they have forgot their Allegiance to the King.* Can he ever be safe, as long as it is the Interest of eve-

ry Papist in *England* to kill him; which it will be, as long as there is hopes of a Papist to succeed to the Throne. And therefore I think we cannot answer the permitting of any delay in an Affair of so great importance, and I humbly move you that the Bill may be committed, and that all may have liberty to be concerned therewith, in a Committee of the whole House.

Resolved, That the Bill be committed to a Committee of the whole House. That it be an instruction to the said Committee, that the Exclusion in the said Bill do extend to the Person of James Duke of York only.

That this House do resolve into a Committee of the whole House on Monday morning next, at ten of the Clock, to proceed to the Consideration of the said Bill.

The 8th of November.

THE House then Resolved into a Committee of the whole House, to proceed in the Consideration of the Bill, to disable James Duke of York to inherit the Imperial Crowns of *England* and *Ireland*, and the Dominions and Territories thereto belonging; and after many Debates about several Amendments, and Clauses to be added, the Bill was agreed; and reported to the House.

Resolved, That the said Bill with the several Clauses and Amendments be engrossed.

The

The Ninth of November, 1680.

A Petition from the Bayliffs, Wardens, and Assistants of the Company of Silk-Wearers, was read.

Mr. Speaker,

J. B. Sir, this Petition branches it self first against the Bill that is here afoot, for wearing of Woollen; secondly, against the Importation of Foreign Silks from *France*; and thirdly, against the *East-India Company*. As to the two first particulars, I shall desire leave to speak my mind, when the Buiness comes to be debated in the Committee to which you may think good to refer it: but as to the third Branch, against the *East-India Company*, I desire to be heard a little at this time: for, Sir, it will be in vain for you to spend your time in endeavouring to raise the price of Wool, or to advantage the Trade of the Nation any way, unless you do in the first place make some Regulation for the *East-India Trade*. For not only the *Silk-weavers*, but most of the other Trades of this Nation, are prejudiced by the Consumption of Goods manufactured in the *East-India*, and brought hither: For a great many of them are not only spent here instead of our own Manufacturies, but abroad in other Parts to which we send them. They do us the same prejudice, which must in the end be the destruction of our Manufactory Trade both at home and abroad, if not looked after; and the more likely, because the People in the *India* are
such

such Slaves as to work for less than a Penny a day; whereas ours here will not work under a Shilling: and they have all Materials also very reasonable, and are thereby enabled to make their Goods so cheap, as it will be impossible for our People here to contend with them. And therefore, because the said Trade hath abundantly increased of late years, that we may not enrich the *Indians*, and impoverish our own People, I humbly move you that this Petition may be referred to some Committee that may take particular care of it.

Mr. Speaker.

Mr. P. Sir, The Navigation to the *East-India* being by the Industry and long Experience of our Sea-men rendred as safe and secure as to any Country adjacent, and the Trade increased to a great proportion, by such a dangerous way as the Exportation of our Bullion, and Importation of abundance of Manufactured Goods, and superfluous Commodities, and carried on by a few Men Incorporated, who have made it their Business, by all ways imaginable, to secure the Advantages thereof to themselves and their Posterities, not permitting the People in general to come in for any share; I humbly conceive it may not be unreasonable to give you a short Scheme of that Trade, and to make some Remarks as well on the Trade, as present Management thereof; it being settled in a Company, by virtue of a Charter granted 1657. and confirm'd by His Majesty soon after His Restauration.

Sir, It is well known what Advantage redounds to this Nation by the Consumption of our Manufactures abroad and at home, and how
our

our Fore-fathers have always discouraged such Trades as tended to the hinderance thereof. By the best Computation that can be made, we now spend in this Kingdom *per Annum* to the Value of 2 or 300000 l. worth of Goods manufactured in the *East-India*: What part thereof are spent in stead of our Stuff, Serges, Cheyneys, and other Goods, I leave to every Mans Judgment, that hath observed how their *Persian* Silks, Bengalls, Printed and Painted Callicoes, and other sorts, are used for Beds, Hanging of Rooms, and Vestments of all sorts. And these Goods from the *India* do not onely hinder the Expence of our Woollen Goods, by serving in stead of them here, but also by hindring the Consumption of them in other Parts too, to which we export them, and by obstructing the Expence of Linnen and Silks, which we formerly purchased from our Neighbour-Nations in return of our Manufactures. For when that mutual Convenience of taking of their Goods in return of ours failed, it is found by experience that our Trade in our Manufactures is failed also: And, Sir, this is not onely at present a great but a growing hinderance to the Expence of our Woollen Goods; for, as it hath been observed to you, being the *Indians* do work for less than a Penny a day, and are not without Materials at cheap Rates, we may rather tremble to think, than easily calculate, what this Trade may in time amount to; and may conclude, That it must certainly end in employing and enriching the People in the *India*, and impoverishing of our own.

But, Sir, this is not all: This Trade is carried on by the Exportation of 5 or 600000 l. *per*

Annum

Annua in Bullion, which is so useful a Commodity, as ought not to be exported in so great a Quantity, especially seeing the Exportation thereof; for this Trade hath increased in some years from 200000 *l.* per *Annua* to 600000 *l.* per *Annua*: For it may increase to Millions, to the discouragement of the Exportation of the Products of our Country, upon which the Maintenance of our Poor and Rent of Land depends. Whereas by the Exportation of so much Bullion, no immediate Advantage redounds to the Nation: and though it is usually affirm'd, That the Trade brings back to the Nation as much Money as it exports, yet upon an inquiry it will be found a mistake. And I think every Nation, but especially this, (which is so well stored with other Commodities for Trade) ought to be very jealous of a Trade carried on by the Exportation of their Gold and Silver, and to be very careful how to allow it, it being dangerous to make that, which is the Standard of Trade, Merchandise it self.

And as these Objections arise against the Trade it self, so there are others against the present Management, of which the People do complain as a great Grievance; and I humbly conceive, not without good cause. For the equal distribution of Liberties and Privileges among the People, which is one of the Excellencies of the Government, is by this Company highly infringed, a very few of the People being permitted to have any share in this Trade, though it be now increas'd to near one quarter-part of the Trade of the Nation, the Company finding it more for their particular advantage

to take up from 6 to 700000 *l.* on a Common Seal, to carry on their Trade, than to enlarge their Stock; thereby reaping to themselves not onely the Gains which they make on their own Money, but of the Treasure of the Nation, allowing to them that lend, four or five *per cent.* and dividing amongst themselves what they please, which now within these last 12 or 15 Months hath been 90 *per cent.* And upon an exact inquiry it will be found, that this Stock is so ingrossed, that about ten or twelve Men have the absolute management, and that about forty divide the major part of the Gains, which this last year hath been to some one Man 20, to others 10000 *l.* apiece. So that here is the certain effect of a Monopoly, to enrich some few, and impoverish many.

It's true, there is such a thing as buying and selling of some small Shares in the Stocks sometimes, if any man will give 300 *l.* in Money for 100 *l.* Stock; but this amounts to no more than the exchanging the Interest of *John Doe* for *Thomas Rowe*, and can be no ways serviceable to bring in more Stock or People into the Trade, and therefore not to satisfy the Complaint of the Nation.

Sir, That you may the better apprehend how unreasonable it is that this great Trade should be thus confin'd to the advantage of so few Persons, exclusive to all others, under the Penalty of Mults, Fines, Seisures, and other extraordinary Proceedings, I beseech you, Sir, to cast your thoughts on this great Body here by you, and the rest of the Corporations of this Nation, who most live by Trade, and consider how many thousands,

sands, if not Millions, there are, whose Lot Providence hath cast on Trade for their Livelihoods ; and then, I am apt to believe, it will appear very strange that so great a Trade should be so limited. If three such Charters more should be granted, what should the major part of the People do for Maintenance ? Sir, the Birth-right of every *Englishman* is always tenderly considered in this Place : By this Company the Birth-right of many thousands is prejudiced, and may well deserve a serious consideration ; and therefore, and because this Company, by having the command of the Treasure of the Nation, cannot be controlled by any less Power than that of a House of Commons, this Business comes, as I humbly conceive, naturally before you.

But, Sir, there is one thing more in the Management of this Trade worthy your Consideration ; The great danger which may result as well to Private Persons as to the Publick, by taking up such an immense Treasure on a Common Seal. Sir, we all know what hapned some years since by the Bankers raking up such great Sums on their Private Seals, how it proved a temptation for the committing of a great Violation on the Subjects Property, which in all probability preceding Parliaments would have prevented, if they had foreseen ; though I hope there is no danger that the like will ever be done again ; yet, Sir, you may do well to secure it, either by making some Vote, if not a Law, to prevent it. And I am the more forward to move you herein, because I have heard, since I had the Honour to sit within these Walls, that in the late Long Parliament there were Members who by Voting for Money,

Money, got Shares to themselves. I have a good opinion of these Gentlemen that at present have the management of the Trade, but if a few such Persons as I have mention'd should succeed them, with the same priviledge that these have, of taking up what money they please on a Common Seal, to what danger might the Treasure of this Nation be reduced, and how might it not be disposed of, by Dividends, Loans or other ways. The taking up of so vast a Treasure on a Common Seal, must be attended with great danger, and therefore as well for that as for the other reasons alledged, I hope you will take this Affair into your speedy consideration, that so some Remedies may be applyed hereto.

Mr. Speaker,

W. L. Sir, by the accompt which hath been given you of the *East-India Trade*, I doubt not but you are sensible, how that it will in time Ruin a great part of the Trade of our Manufactures, if not prevented. The *East-India Company* have been very industrious to promote their own Trade, but therein have given a great blow to the Trade of the Nation. The *Indians* knew little of dying Goods, or ordering them so, as to be fit for our *European Markets*; until the *Company* sent from hence *English-men* to teach them, which I am afraid this Nation will have cause to Repent hereafter. For the cheapness of Wages and Materials in the *Indies*, must enable the *Indians* to afford their Manufactured Goods cheaper than any we can make here, and therefore it is probable the Trade will increase prodigiously, which may be a

good motive for you to take into your consideration that part of it, in which the consumption of our Manufactures is concern'd. They have already spoil'd the *Italian* and *Flanders* Trade, with their *Silks*, and *Colicoes*; now they will endeavour to spoil the *Turks* Trade by bringing abundance of raw Silk from the *Indies*. So that *we* long *we* shall have no need of having Silk from *Turkey*, and if not, I am sure *we* shall not be able to send any *Cloaths* or *other Goods* there. And it cannot be expected, that the *Indians* should grow weary of exchanging their Manufactured Goods for our Gold and Silver, nor the Company of the great gains they make by their Trade, and therefore unless prevented by your care, the Trade will go on to your prejudice, the Company having been industrious to secure themselves against all other attempts, by New-years-Gifts, employing of some mens money at Interest, and getting others into the Company, and then chusing them of the Committee, though they understand no more of the Trade, than I do of *Physick*; also Naming of Ships by great Mens Names is made use of for the said purpose, and Oaths which they impose on all Persons they employ in any business of importance, so that there is no ordinary way left to reach them. Therefore, Sir, I hope you will refer the business to some Committee that may make you a speedy Report.

Resolved,

Resolved, That the said Petition be referred to the Grand Committee for Trade, and they are to proceed upon the same in the first place, and they are then likewise to consider of the present State of the East-India Company, and to Report the same, with there opinions therein to the House.

The 10th of November, 1680.

His Majesties Message to the House was read,

HIS Majesty desires this House, as well for the satisfaction of his people, as of himself, to expedite such matters as are depending before them, relating to Popery and the Plot, and would have them rest assured that all Remedies they can tender to his Majesty conducing to those Ends, shall be very acceptable to him, provided they be such as may consist with preserving the Succession of the Crown in its legal course of Descent.

Mr. Speaker,

H. B. Sir, I look on all his Majesties Speeches to Parliaments, and Messages to this House, to be Acts of State, and the results of serious Councils, and therefore the more deserving our consideration, but also I think we may in some respects look on them as we do on Letters Patents or other Grants in the Kings Name, if in them there be any thing against Law, the Lawyer or Officer that drew them is answerable for it. So if his Speeches be the product of Council, if there be any mistake in them, it must be

imputed to the Council, and we may and ought to conclude the King never said it, for he can do no wrong. I cannot, Sir, but much admire what neglect of ours, as to Popery and the Plot, hath occasion'd this Message. Hath not most of our time been spent about Examination of Witnesses about the Plot, and in making inspections into the Proceedings of the last Parliaments as to their Transactions about it, that so we may proceed upon such grounds as we ought? Hath there any day past, in which we have not done something as to the Plot and Popery, besides what we have done about the *Dukes Bill*? *which alone is sufficient proof of our endeavours to Discover the Plot and Popery, because it plainly appears that all the Plot centers in him, and that we can never prevent Popery, but by preventing that Power to Rule, which is derived from a Popish Successor, and the having of a Popish King.* It is true, we have spent some time also, in asserting the right of the people to Petition the King for Parliaments, or other Grievances; but I do not take that to be so remote to this affair; for can the Plot ever be searched to the bottom, or Popery prevented, as our case stands, but by Parliaments, and seeing there were so many Prorogations of this Parliament, when there were occasions so urgent for their sitting, in order to search the Plot to the bottom, and to make Laws against Popery, have we not great reason to believe that it was from that Parry, that such strange endeavours were used to prevent the meeting of Parliaments, from whom they know that nothing but Ruine can attend them? Do we not see by *Coleman's Letters*, what contrivances

vances they always had for to manage the Meetings, Sitings, Prorogations and Dissolutions of Parliaments; and why should we not believe they exercise the same arts still, seeing it is plain that the Dissolutions of the last two Parliaments, and many Prorogations of this, did not proceed from any Protestant Interest, and therefore well may we conclude from whom. And for the same reason that they fear Parliaments, have not the people reason to be fond of them, being the only legal way to redress Grievances? And could we have answered the neglecting of the Asserting our Rights in that particular? Sir, I think that next to the Dukes Bill, the Asserting of the people's Right to Petition, is the most necessary Affair we could have spent our time about, in order to have the Plot Examined to the bottom, by conveying to his Majesty the desires of his people, for to have Parliaments sit in order thereto. And therefore I am jealous that the advice given for this Message doth proceed rather from a fear that we are doing too much, than from our doing too little against Popery. However, Sir, seeing the Message comes in his Majesties Name, let us according to our duty give all the compliance we can to it, and therefore I humbly move you, that a Message be sent to the Lords to desire them to appoint a day for the Tryal of *William Viscount Stafford*.

Mr. Speaker,

J. H. Sir, I cannot but observe, that his Majesty in his Speech made to us at the opening of this Session, recommended to us the Examination of the Plot, and the making Laws for

the security of the Protestant Religion, which is not yet above Twenty days ago. And therefore it is very strange in my opinion, that we should so soon receive another Message to the same purpose, especially considering how we have spent our time ever since our meeting, in that which we have reason to think tends as much to the preventing of Popery, as any thing we could invent. The truth is, Sir, I am fully persuaded, that the advice for this Message, proceeds from the same men that advised the Dissolution of the two last Parliaments, and the many Prorogations of this; for though it may look like a Contradiction, that going fast or going slow should tend to one and the same end, yet it doth so in this case; for by the Dissolutions of those Parliaments, and many Prorogations of this, time was gotten for the dishearing of some Witnesses, and tampering with others, and the death of the most Material one, and now by pressing upon this Parliament to make great haste, other Witnesses may be prevented from coming in, for which his Majesty hath declared he will give 2 months time by his Proclamation. So that it plainly appears, that the further Examination of the Plot must be prevented some way, if they can do it, and that rather than fail, your endeavours to go to the bottom of the Plot, shall be turned upon you, and made use of to their advantage. It is strange, that now *Fourteen days should seem too much to have the Examination of the Plot neglected (supposing it had been so) and the Fourteen months last past, or rather two*

Years,

Years, not thought so. Sir, we are under great difficulties, and therefore we must be careful what we do. By the Contents of this Message, we may plainly see, that our Enemies are at work to represent our Proceedings ill to the King, that so if possible there may be some plausible pretence found out that may serve to gull the People if they should procure a Dissolution. But I hope his Majesty will not hearken to such advice; in order to prevent it, let us, until we have an opportunity to express our duty to him by actions, do it by words, to satisfy him that we have spent most of our time in Examining the Plot, and in contriving how to secure his Person and Government against the dangers arising from Popery; and to assure him, that we will lose no time till we have done what lies in our power in order thereto; and that we may withal give some further instance of our endeavours, let us Vote that we will immediately proceed to the Tryal of my Lord Viscount Stafford.

Mr. Speaker,

W. H. Sir, I am well content to understand that part of the Speech, which recommends to us a speedy Examination of the Plot, to proceed from his Majesties Goodness, on a supposition that he is now more sensible than ever, of the danger his Person and Government is in by Papists. And I hope it is from that, and not from any other reason that he hath been pleased to send us this Message so soon after his Speech, notwithstanding our endeavours as to the Plot and Popery. But, Sir, what I am most concerned at, is the latter part of the Speech, that about the Suggestion, for it looks like the difficulty that was

put

put upon the *Israelites*, of making *Bricks without Straw*. For seeing all the discoveries about the *Plot* make it clearly out, that it all Centers in the Duke of York, and that all their hopes is derived from a *Popish Successeur*, and Expectation of a *Popish King*, how can we do any thing that can be effectual in pursuance of the first part of that Proposition, without contradicting the latter, it being impossible to secure the *Protestant Religion* under such limitations. However, Sir, I hope that none of these things will put the House out of that temper and moderation which becomes this place, for I hope that at last his Majesty will either convince us, or be advised by us, that so we may come to a fair understanding, and this Session have a happy conclusion. Let us be careful not to give our Enemies any just advantage to misrepresent us. And then I hope all will do well at last, maugre all the endeavours of our back-friends. That we do Voté that we will proceed to Tryal of some of the Lords, and appoint a Committee to draw up an Address in Answer to this message, upon the Debate of the House, is, I conceive, what is necessary at this time.

Mr. Speaker?

S. T. Sir, His Majesties Message is a tacit Reprehension of this House, for not having done their Duty as to the Plot and Popery. And as well by this Message, as by his Speech at the opening of the Session he doth now seem much concerned, that the examination of the Plot, and the securing of the Nation against the danger of Popery hath been so long deferred; for my part, I think he hath a great deal of reason for what he saith, and I am glad to hear it. For I
hope

hope he is now truely sensible what strange advice he followed in Dissolving the last Parliaments, and so often Proroguing this, and that he will now permit the Parliament to sit, until they have done their duty in that particular. But, Sir, though his Majesty may now be very sensible of the miscarriages there have been in the management of this business already, yet I think we may not do amiss (seeing his Majesty hath given us this occasion) to particularize to him, how the Examination of the Plot, and the securing us against Popery hath been prevented. Sir, was not the late long Parliament after the Plot broke out, in a fair way to have Tried the Lords, and to have Examined the Plot to the bottom, and did not the Dissolution of them frustrate all their proceedings? Did not the next Parliament fall upon the same Subject, and were they not advanced very far towards it, and did not the Prorogation and Dissolution come, and make all void? Hath this Parliament, though called to meet the 17th of *October* was 12 months, ever sat till now, and have they not ever since their meeting employ'd most of their time about the Plot and Popery, and can there lie any just complaints against us? The truth is, Sir, it is plain to me, that if this message proceeds from his Majesties own judgment, as I hope it doth (for how can it be presumed that his Majesty should not see how we proceed against the Plot and Popery as well as every body else) or if it proceed from such Counsel, as do really intend we should do something against Popery, then we may be permitted to sit until we have done something for the security of our Religion, and good of our Country; but on the other side,

if

if this Message do proceed from the same Council that advised the Dissolutions of the last Parliaments, and many Privileges of this, then we may take it as a clear discovery that there are persons at Work to represent us ill to the King, and to find some pretence for our Dissolution, as may pass with the People, and such I take to be Enemies both to the King and Kingdom, and therefore hope you will take a time to find them out, and proceed against them as they deserve. In the mean time, I second the motion that hath been made, for a Committee to draw up an Answer to this Address, and for making a Vote in order to Try my Lord Stafford.

Mr. Speaker,

Sir F. W. Sir, Though I know that we are under an Obligation from Duty to make a good Construction of all His Majesties Speeches and Messages to this House, yet because they generally do proceed from some Advice and Counsel taken on such occasions, therefore I think we may without offence, when any thing is irreconcilable in them, attribute it to the Ministers; though all that which is good, and agreeable to that Wisdom and Prudence which is inherent in His Majesty, ought to be attributed to himself; and, as the case stands with us, I think onely from Him can it proceed. What is said in this Message, that neither His Majesty nor the People can be satisfied, unless we expedite such matters as relate to the Plot, I believe it proceeds from His Majesties own *Genius*, it being so agreeable to that Love which he hath always profess'd for the Protestant Religion; but that tacit Imputation, That we have neglected the Examination of the
Plot,

Plot, and Proceedings against Popery, appears to me like a kind of Insaturation in those Ministers that advised it. For, Sir, is there any thing more obvious, than that this Parliament have spent most of their time in Matters relating to the Plot and Popery, and to make such Laws as may prevent the committing in of Popery upon us? And did not both the last Parliaments do the same, from the time the Plot broke out? And if I may take the liberty to prophesie, I am apt to think, that the next, and the next, will proceed in the same steps, until such Laws be made as are precisely necessary for the hindering of Popery from committing in upon us: And I pray God it may not be a cause why we shall have no Parliaments to sit and act for a while. But, Sir, as this is plain, so to our grief it is, that there are those about the King, in great Power, that are against the Examination of the Plot to the bottom, or making Laws against Popery. Had not this appeared by the great Endeavours that have been used to stifle the Plot, the menacing and discouraging of the true Witnesses, and setting up and encouraging of false ones? I mean, by the great Power that accompanied those Endeavours; but above all, by the great Authority and Interest which that Party have shewed in the Dissolution of the last two Parliaments, (though as to the first I heartily forgive them) and the many Prorogations of this. *And must they now, after they have stopp'd or smother'd all Proceedings that tended to destroy Popery for above Two Years, find fault that we have not brought all to perfection in Two Weeks?* Sir, this looks like such a profound piece of Policy, as that of Killing Justice Godfrey.

free. But I am not sorry that their Politicks run so low. Such a pretence as this can onely pass with Persons that have a mind to be deceived. I will never doubt the Prudence of the major part of the Nation in this particular, who know that the Non-prosecution of the Plot is the great Grievance which the Nation groans under; and the making of such Laws as may secure us against Popery, the greatest reason they have so longed for a Parliament, and adventured so much as some did in petitioning for one. And, Sir, I think, that accordingly this House have not been wanting to do their Duty therein; and therefore do believe, that such Representations to His Majesty are made by such as aim at the Destruction of Parliaments, and bringing in of Popery. But the better to prevent their taking any such Advantage for the future, I could wish that we may not spend more Mornings about *Trish* Cattel, nor *East-India* Trade, until the Business of the Plot and Popery be more off our Hands. But in order to satisfy His Majesty of our Obedience to His Commands, I agree both for the Committee, and Tryal of the Lord *Stafford*.

Resolved, *That a Committee be appointed, to draw up an Humble Address to His Majesty, upon the Debate of the House, in answer to His Majesties Gracious Message.*

Resolved, *That this House will proceed in the prosecution of the Lords in the Tower, and will forthwith begin with William Viscount Stafford.*

The Eleventh of November, 1680.

Mr *William Jones* reports from the Committee appointed to draw up an Address to His Majesty, upon the Debate of the House, in Answer to His Majesties Gracious message; which he read in his place, and afterward delivered the same at the Clerks Table; where being read again, was upon the Question agreed to by the House.

The Address to His Majesty from the Commons.

May it please Your most
Excellent Majesty,

WE Your Majesties most Loyal and Obedient Subjects, the Commons in this present Parliament assembled, having taken into our most serious Consideration Your Majesties Gracious Message, brought unto us the Ninth day of this Instant November, by Mr. Secretary Jenkins, do with all thankfulness acknowledge Your Majesties Care and Goodness, in inviting us to expedite such Matters as are depending before us relating to Popery and the Plot. And we do, in all humility, re-
present

present to Your Majesty, that we are fully convinced, that it is highly incumbent upon us; in discharge both of our Duty to Your Majesty, and of that great Trust reposed in us by those whom we represent, to endeavour, by the most speedy and effectual ways, the Suppression of Popery within this Your Kingdom, and the bringing to Publick Justice all such as shall be found Guilty of the Horrid and Damnable Popish Plot. And though the time of our Sitting, (abating what must necessarily be spent in the chusing and presenting a Speaker, appointing Grand Committees, and in taking the Oaths and Tests enjoined by Act of Parliament) hath not much exceeded a Fortnight, yet we have in this time not onely made a considerable Progress in some things which to us seem, and (when presented to Your Majesty in a Parliamentary way) will, we trust, appear to Your Majesty to be absolutely necessary for the Safety of Your Majesties Person, the effectual Suppression of Popery, and the Security of the Religion, Lives, and Estates of Your Majesties Protestant Subjects : But even in relation to the Tryals of the Five Lords impeached in Parliament for the execrable Popish Plot, we have so far proceeded, as we doubt not but in a short time we shall be ready for the same. But we cannot (without being unfaithful to Your Majesty, and to our Countrey, by whom we are intrusted) omit, upon this Occasion, humbly to inform Your Majesty, That our Difficulties, even as to these Tryals, are much increased, by the Evil and Destructive Counsels of those Persons who advised Your Majesty, first, to the Prorogation, and then, to the Dissolution of the last Parliament, at a time when
the

the Commons had taken great pains about, and were prepared for those Tryals. And by the like pernicious Counsels of those who advised the many and long Prorogations of the present Parliament, before the same was permitted to sit; whereby some of the Evidence which was prepared in the last Parliament may possibly (during so great an Interval) be forgotten or lost; and some persons, who might probably have come in as Witnesses, are either dead, have been taken off, or may have been discouraged from giving their Evidence. But of one mischievous Consequence of those dangerous and unhappy Counsels, we are certainly and sadly sensible; namely, That the Testimony of a material Witness against every one of those Five Lords, (and who could probably have discovered and brought in much other Evidence about the Plot in general, and those Lords in particular) cannot now be given viva voce; for as much as that Witness is unfortunately dead between the Calling and the Sitting of this Parliament. To prevent the like, or greater Inconveniences for the future, We make it our most humble Request to Your most Excellent Majesty, That, as You tender the Safety of Your Royal Person, the Security of Your Loyal Subjects, and the Preservation of the true Protestant Religion, You will not suffer Your Self to be prevailed upon by the like Counsels, to do any thing which may occasion in consequence (though we are assured never with Your Majesties Intention) either the deserting of a full and perfect Discovery and Examination of this most wicked and detestable Plot, or the preventing the Conspirators therein from being brought to speedy and Exemplary Justice and Punishment. And we humbly be-

seeb Your Majesty to rest assured, (notwithstanding any Suggestions which may be made by persons, who, for their own wicked purposes, contrive to create a Distrust in Your Majesty of Your People,) That nothing is more in the Desires, and shall be more the Endeavours of Us, Your Faithful and Loyal Commons, than the promoting and advancing of Your Majesties True Happiness and Greatness.

Mr. Speaker,

G. V. Sir, I hope this Address will satisfy His Majesty, that this House hath not been negligent in the prosecution of the Plot and Popery, and that it will create in His Majesty a good Opinion of our proceedings, that so we may not meet with any interruption in the perfecting of those Bills which are necessary for the good of the King and Kingdom, and may have the Glory of having been instrumental in accomplishing that security which the Nation so much desires in point of Religion, and in making His Majesties Government not onely more easy to him, but so formidable, as that he may become a Terror to His Enemies, and in a Capacity to give Assistance to His Friends both at home and abroad ; and, if possible, so reconcile all Divisions, as that there may be no distinction but of Papists and Protestants, nor of that neither, if there could be a way found out to prevent it. For I know this House wants nothing but Opportunity to express their Loyalty to the King, and Love to the Protestant Religion, and their Country ; but I am afraid, that all our Endeavours will prove ineffectual, unless

lets we can remove from His Majesty all Countessors that advise him in favour of the Popish Interest, and such as influence him in favour of that Party. I do not mean little ones, but such as by Experience we had found, have in the time of our greatest Danger exercised a kind of uncontrollable power. The Witnesses which you have heard this day at the Bar, as to the wicked Plot of the Papists in *Ireland*, and in what a dangerous Condition the poor Protestants are there, how exceeded in Numbers by their Enemies, and deserted by their Friends, added to the Evidence we have of the Plot in *England*, hath given to me a new prospect of the deplorable Condition we are in; and therefore, although it be a little late in the day, seeing here is a full House, and of such persons as, I believe, will never think any thing too much, that is so necessary for the good of their King and Country; I hope you will not think it unreasonable, that I should now move you, that the ingrossed Bill, for dishonouring James Duke of York, be read.

The Bill amended as the House had ordered, was read, Intituled, An Act for securing of the Protestant Religion, by disabling James Duke of York to inherit the Imperial Crown of England and Ireland, and the Dominions and Territories thereunto belonging.

WHEREAS James Duke of York, is notoriously known to have been perverted from the Protestant to the Popish Religion; where-
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by not only great encouragement hath been given to the Popish Party to enter into, and carry on most Devilish and diabolical Plots and Conspiracies for the Destruction of His Majesties Sacred Person and Government; and for the Extirpation of the True Protestant Religion: But also, if the said Duke should succeed to the Imperial Crown of this Realm, nothing so more manifest, than that a Total Change of Religion within these Kingdoms would ensue. For the prevention whereof, Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That the said James Duke of York, shall be, and as by the Authority of this present Parliament Excluded, and made for ever incapable to inherit, possess, or enjoy the Imperial Crown of this Realm, and of the Kingdom of Ireland, and the Dominions and Territories to them, or either of them belonging, or to have, exercise, or enjoy any Dominion, Power, Jurisdiction or Authority in the same Kingdoms, Dominions, or any of them. And be it further Enacted by the Authority aforesaid, That if the said James Duke of York shall at any time hereafter, challenge, claim, or attempt to possess, or enjoy, or shall take upon him to use or exercise any Dominion, Power, or Authority, or Jurisdiction within the said Kingdoms, or Dominions, or any of them, as King, or chief Magistrate of the same; That then be the said James Duke of York, for every such Offence, shall be deemed and adjudged guilty of High Treason; and shall suffer the Pains, Penalties, and Forfeitures, as in case of High Treason. And further, That if any Person or Persons whatsoever, shall assist,

or maintain, abet, or willingly adhere unto the said James Duke of York, in such challenge, claim or attempt; or shall of themselves attempt, or endeavour to put or bring the said James Duke of York into the Possession, or Exercise of any Regal Power, Jurisdiction or Authority within the Kingdoms and Dominions aforesaid, or shall by Writing or Preaching, advisedly publish, maintain or declare, That he hath any Right, Title, or Authority to the Office of King, or chief Magistrate of the Kingdoms and Dominions aforesaid, That then every such Person shall be deemed and adjudged guilty of High Treason; and that he suffer and undergo the Pains, Penalties and Forfeitures aforesaid.

And be it further Enacted, by the Authority aforesaid, That he the said James Duke of York, shall not at any time, from and after the Fifth of November, 1680. return, or come into or within any of the Kingdoms or Dominions aforesaid; And then he the said James Duke of York shall be deemed and adjudged guilty of High Treason; and shall suffer the Pains, Penalties and Forfeitures as in case of High Treason; and further, That if any Person or Persons whatsoever, shall be aiding or assisting unto such return of the said James Duke of York, that then every such Person shall be deemed and adjudged guilty of High Treason; and shall suffer as in cases of High Treason.

And be it further Enacted, by the Authority aforesaid, That he the said James Duke of York, or any other Person, being guilty of any of the Treasons aforesaid, shall not be capable of, or receive benefit by any Pardon, otherwise than by Act of Parliament, wherein they shall be particularly named; and that no Noli Prosequi, or Order for Stay of Proceed-

ings shall be received or allowed in, or upon any Indictment for any of the Offences mentioned in this Act.

And be it further Enacted and Declared; and it is hereby Enacted and Declared, That it shall, and may be lawful to, and for any Magistrates, Officers, and other Subjects whatsoever of these Kingdoms and Dominions aforesaid; and they are hereby enjoined and required to apprehend and secure the said James Duke of York, and every other person offending in any of the Premises, and with him or them in case of resistance to fight; and him or them by force to subdue: For all which Actions, and for so doing, they are, and shall be, by Vertue of this Act, saved harmless and indemnified.

Provided, and it is hereby declared, that nothing in this Act contained, shall be construed, deemed or adjudged to disenable any other person from inheriting and enjoying the Imperial Crown of the Realm and Dominions aforesaid; (other than the said James Duke of York) But that in case the said James Duke of York should survive His Now Majesty, and the Heirs of His Majesties Body; The said Imperial Crown shall descend to, and be enjoyed by such person or persons successorially during the Life of the said James Duke of York, as should have inherited and enjoyed the same, in case the said James Duke of York were naturally dead, any thing contained in this Act to the contrary notwithstanding.

And be it further Enacted, by the Authority aforesaid, That during the Life of the said James Duke of York, This Act shall be given in charge at every Assizes, and General Sessions of the Peace within the Kingdoms, Dominions and Territories aforesaid; and also shall be openly read in every Cathedral

dral-Church, and Parish-Church, and Chappels within the aforesaid Kingdoms, Dominions and Territories, by the several respective Parsons, Vicars, Curates and Readers thereof, who are hereby required immediately after Divine Service, in the Forenoon, to read the same twice in every year; that is to say, on the 25th of December, and upon Easter-day, during the Life of the said James Duke of York.

Mr. Speaker,

Sir L. J. Sir, this great business cannot be too well considered, before you come to a final Resolution therein, I will not now offer you any prudential Arguments against this Bill, because I did offer several at the last reading; but, Sir, I would desire you to consider, that this Prince is Brother to our present King, and Son to our late pious King *Charles* the First; for whose Memory this Nation hath a great Veneration, that this Prince is enricht with Excellent Endowments, which he hath employed in the Service of this Nation, by fighting our Batrels, and defending us from the Oppression of our Enemies, and is only Guilty of this one Crime, which, I hope, upon a mature deliberation, will not deserve to great a condemnation. Sir, I know it is usual for this House to proceed in Affairs of less importance, with all the Calmness, Justice, and Prudence that can be imagin'd; and therefore I hope you will be careful how you deviate from those measures, in a business of this Nature. I would once more remember you, that there are Laws already for the punishment of the Crimes he is accus'd of, and therefore humbly conceive you ought not to

chastise him, by making a new Law, especially with that severity which is by this Bill now intended, before any hearing.

Sir, for my part, I have taken the Oath of Allegiance, and think my self therein bound to him as Heir, until it please God that his Majesty have Children. I know of no Power on Earth, that can dispence with my Oath; and therefore I cannot (so much as by being silent) give my consent to this Bill, least I therein wrong my Conscience, seeing I have the Honour to be a Member of this House.

I do not doubt but most here have a great Esteem for the Church of *England*, as Members thereof: I could wish they would consider what a great Blow this Bill will give to our Religion, and to our Church. To dishnerit a Prince, for no other Cause, but for being of a different Opinion in some Points of Faith, is, I think, quite contrary to the Principles of the Religion we profess, and also to the Establiſhed Laws of this Land. And if such an Act, when made, should be of any Validity, I do conclude, that you will thereby change the Constitution of this Monarchy, and make it in a manner Elective; and therefore I humbly move you that the Bill may be thrown out.

Mr. Speaker,

Sir R. M. Sir, I desire leave to offer some Objections, which, in my Opinion, do justly arise against this Bill. I think there ought to be a *Proviso*, That if the Duke should turn Protestant, that then the Bill should be void, and be not excluded from his Right; that so we may not leave him without some Temptation to return to the Protestant

relant Religion. And, Sir, I think there ought to be a *Proviso*, That in case the Duke should have a Son, after either of his Daughters (if it should be their Fortune) have ascended the Throne, for the reserving of him a Right. For, there is a possibility, that, if the Duke should out-live the King, he may have a Son, after that his Daughters, by Vertue of this Act, may have taken the Crown. I suppose, that as there is no intent to chastise the Daughters for the Father's sake, so not the Son; and therefore I humbly move you, that some *Proviso* may be added, to secure him his Right, if any such thing should happen.

Mr. *Speaker*,

W. Sir, The Honourable Member that spoke before, made large Encomiums on the Duke, extolling his Endowments, and Services to the Nation. For my part, I think, that the better qualified he is, the greater is our Danger. But as to what he said, of having fought our Battels, and done great things for the Nation, I think he hath not done fairly by the House; for he should also have told us, *how the Triple League was broke, and my Lord of Sandwich lost his Life; how he changed his Religion, and hath ever since encouraged Popery, and assisted that Interest; how the City of London was burnt, and the Actors discharged; how the Discovery of the Popish Plot was prevented as much as it could be, and the Presbyterian one encouraged; that so we might have all afore us.*

He was going on more severely, but was interrupted.

Mr.

Mr. Speaker,

L. H. Sir, Although it hath been said, That no good Protestant can speak against this Bill; yet, Sir, I cannot forbear to offer some Objections against it. I do not know that any of the King's Murderers were condemn'd without being heard; and must we deal thus with the Brother of our King? It is such a severe way of proceeding, that I think we cannot answer it to the World; and therefore it would consist much better with the Justice of the House, to impeach him, and try him, in a Formal way, and then cut off his Head, if he deserve it. I will not offer to dispute the Power of Parliaments; but I question whether this Law, If made, would be good in it self. Some Laws have a Natural Weakness with them; I think that by which the old Long-Parliament carried on their Rebellion, was judged afterward void in Law, because there was a Power given, which could not be taken from the Crown. For ought I know, when you have made this Law, it may have the same Flaw in it: If not, I am confident there are a Loyal Party, which will never obey, but will think themselves bound by their Oath of Allegiance, and Duty, to pay Obedience to the Duke, if ever he should come to be King, which must occasion a Civil War. And, Sir, I do not find that the *Proviso* that was ordered to be added for the Security of the Duke's Children, is made strong enough to secure them, according to the Debate of the House, it being liable to many Objections, and the more, because the Words, *Presumptive Heir of the Crown*, are industriously set out, though much insisted on when debated here

here in the House. Upon the whole matter, my humble motion is, that the Bill may be thrown out.

Mr. Speaker,

Sir W. J. Sir, I am very unfit to speak in this place, being a Member but of yesterday; but I will rather adventure to draw a Censure on myself, than be wanting to serve my Country (seeing they have called me hither) in a Business of so great importance, I think, as great as ever was debated in an House of Commons. I can truly affirm, that I have a great Respect for the Duke of York; and therefore, as well as for the preservation of the Protestant Religion, I am for this Bill. For, I take it for granted, *That it is impossible that a Papist should come to the Possession and quiet Enjoyment of this Crown, without trading through a Sea of Blood, and occasioning such a War as may, for ought I know, shake the Monarchical Government of this Nation, and thereby not only endanger himself, but his children too.* For no man can force what may be the end of such a War, nor what miseries it may bring on the Nation: But, in all probability, it may prove the deepest Tragedy that ever was acted on this great Theatre. For it cannot be imagin'd, *that the great Body of Protestants which are in this Nation, will tamely submit to the Popish Yoke, which they will in time see must be the consequence of submitting to a Popish King, without some struggling.* And Wars begun upon the score of Religion, are generally attended with more fatal and bloody Consequents than other Wars; and this may exceed all others that ever yet were made. And I see no way to prevent it, but by passing this

this Bill, which, so long as it excludes only him, and secures the Crown to his Children, is, I think, (as the case stands) the greatest Kindness we can do him.

Sir, I do much admire to hear some Honourable and Learned Members say, That this Bill is against Natural Justice, because it condemns a Man before he is heard; and that it is too severe a Condemnation; that it is against the Oath of Allegiance, and Principles of our Religion; that it will be a scandal to our Church, to exclude a Man of his Right for his Opinion in Religion; that it is a Law that will be void in it self, and that there are a Loyal Party will never obey it; that it will make the Crown Elective, and occasion a Civil War; and that the *Proviso*, as to the Dukes Children, is not strong enough, because the Word *Presumptive Heir* is left out.

Sir, The first Objection, I think, is a great mistake; for this Bill is not intended as a *Condemnation to the Duke*; but a *Security to our selves*; and is so far from being against Natural Justice, that the Passing of it is *agreeable to the very Foundation not only of Natural Justice, but Natural Religion too, the Safety of the King and Kingdom depending thereon, which, according to the Rules of Justice and Religion, we are bound to use our Endeavours to preserve, before any one mans Interest*. That about the Oath of Allegiance, I do a little admire at; for, it is the first time I ever heard that Oath pleaded in favour of Popery. I have oftentimes had occasion to scan the meaning of that Oath, but never found it extended to the Successor during the Kings Life; and therefore no need of any Dispensation in that point. And I cannot understand

stand how it can be any scandal as to our Church or Religion, *if by Church be meant our Protestant Church.* Can our Church or Church-men be scandalized, because we endeavour to secure ourselves against Popery by all lawful means? I rather think the very Supposition an high Reflection on our Church-men, as rendering them willing to let in Popery, which I am confident they are not. As to what is said, That the Law will be void in it self, and that there will be a Loyal Party that will never obey it, and that it will occasion a Civil War; I must confess these are strange Arguments to me: For, to doubt that the *Legislative Power of the Nation, King, Lords, and Commons, cannot make Laws that shall bind any, or all the Subjects of this Nation, is to suppose there is such a Weakness in the Government, as must infallibly occasion its Ruine.* And therefore I am of Opinion, that what Laws you make in this case, will carry as much Right and Strength with them, not only now, but after the King's Death, as any Law whatsoever. And how then can there be a Loyal Party that will not acquiesce therein, unless the Word *Loyal* have some other signification than I know of? I take it to be a Distinction that can onely be given to such as obey Laws; and, I think, we need not doubt, but if once this Law were pass'd, *there would be Protestants enough, whose Interest it would be to defend it, that would compel an Obedience to it.* And we have much more reason to fear a Civil War without it, than with it; For, if we can get this Bill, we may be thereby so united, and enabled to defend our selves, as that the Popish Party may never have the confidence to attempt us; but without it we shall not be

be in any capacity to defend our selves, which, above all things, may encourage a Civil War. As to the *Proviso* for securing the Right of the Duke's Children, if it be not strong enough, I am ready to give my Vote it should be stronger ; but I take it to be as full and comprehensive as can be made ; at least, I take the leaving out the Words, *Presumptive Heir to the Crown*, to be no Objection against it : For there is no such Word in our Law-Books, nor no such Term in treating of the Succession ; and therefore I hope you will be careful how you make a President in that Case.

And, Sir, as I do not find there is any weight in the Arguments that have been made against this Bill ; so I think, that if the preservation of our King, our Government, our Lives, and our Religion, be things of moment, that there is much to be said for it. For although the malignity of men, cannot deface His Majesties good-ties, yet by assisting the Popish Faction, they have spoil the Beautiful Face of the best Government in the World ; by breaking that good Correspondence that there ought to be between the King and his People, by dividing us in points of Religion, and by being the Cause of just jealousies and fears. By which His Majesty is reduced to great difficulties and trouble, in the administration of His Regal Authority, and the Credit, Peace and Tranquility of the Nation almost irrecoverably lost. As to all which, the Art of man cannot find out any Remedy as long as there is a Popish Successor, and the fears of a Popish King ; and therefore I humbly move you this Bill may pass.

Mr. Speaker,
 Sir F. W. Sir, the Arguments that have been
 used against this Bill, may be very excellent to
 lull us into a Fatal Security, by possessing us with Opinions, that there is no need of taking so much care
 about Popery, or that we ought not to oppose it, or
 that it will be to no purpose, because we have no
 power to hinder it. But I do not see what weight
 they have in them, grounded on any other
 Consideration, to hinder the passing of this Bill.
 Rather, for the same Reason, that such Arguments as these, are here offered against this
 Bill, and such Endeavours used abroad to reconcile the People to have a better Opinion of
 Popery than formerly, I think we ought to be
 the more zealous for this Bill, because nothing
 can give a greater encouragement and assistance
 to Popery, than the growth of such Opinions;
 nor prevent their Design, who are industrious to
 insult them, than the passing of this Bill. Whoever
 will consider how this Monarchy hath declined in Grandeur, Honour and Reputation abroad, by the destruction of our Navy in 1666.
 and the little appearance we have ever since
 made of being able to be formidable at Sea; but above all, our Ministers double-dealing in
 the making of Alliances, or performing of them;
 (in order to keep up our Interest with France);
 How from being Umpire to all this part of
 the World, according to that advantage which
 we have by our Situation, we are become the
 despicablest Nation in Europe. How the Government is weakened at home, not only by Fears
 and jealousies, but by the Debaucheries and
 Divisions which have been promoted amongst
 our

Our People; how narrowly we escaped Ruine when the City of London was burnt, as well as when the Toleration came out; and the Army was at *Black-heath*, as lately by the Horrid Plot, if it had not been discovered; how there is nothing stands between us and Death, but the King's Life; and how all these Dangers past and present, do arise from Popery: and how impossible it is, it should be otherwise as long as there is a Popish Successour: may justly admire there should be any Arguments offered in this place, to lessen our care for preventing the Growth and Power of Popery. I cannot tell how these Learned Members understand *Natural Justice*, but I am of that Opinion, *That Self-preservation, and the preservation of our Religion, and Life of our King, by all lawful ways, is very agreeable to Natural Justice.* And I do admire to hear such a Construction made of the Oath of Allegiance, that it binds all persons to the next Heir, as well as to the King. For it is a most dangerous maxim, and may be of ill Consequence, if ever the next Heir of the Crown should make a Rebellion; for he may thereby challenge Allegiance from the People as well as the King, which might be of pernicious Consequence. And I do not see wherein our Church or Religion can be scandalized by this Bill. For we do not Disinherit this Prince for his Religion, but to save our own, and to prevent the manifest Ruine of the Nation. And therefore I think it is a Kindness to the Church, above all Acts whatsoever; because the onely way to preserve it; I mean the *Protestant Church*. And those Objections that have been made

made against the Lawfulness and Validity of this Act, do not weigh with me, but notwithstanding what hath been said, do believe it will be as good in Law, if once it be past, and will be as well observed too as any Act whatsoever. The King hath his Right from God, and as Supreme is accountable to none, his Person sacred, and by our Laws can do no wrong. If we should give all these qualifications to a Successor, as hath been in some measure insinuated, it would make a strange confusion in the Government. Life it self, to which a man hath as much Right, as any Successor can pretend to have to the Crown, is taken away upon some forfeitures for the publick good. And as there may be a forfeiture of Life, so there may be a forfeiture of a Right to the Succession. And to doubt that there is not an unlimited uncontrollable power residing somewhere in all Governments, to remedy the exigences that may happen, is to suppose there is such weakness in this or any other Government, as that it must fall when a powerful faction shall endeavour it. In this Nation, this Power is in the King, Lords, and Commons, and I hope they will make use of it to preserve the Government upon this occasion. And I do not doubt, but if the Bill pass, all will obey it heartily that wish well to the Protestant Religion. I am afraid some Ministers of State place their safety in Common ruin, or otherwise the settling of this affair, would not have been so long delayed and opposed as it hath been. Hath there not been contrived and practised, and is there not

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still

still threatened the greatest and certainst ruine to this Nation by this business of the Duke that ever was yet projected, and must we be more stupified than our Ancestors. Doth not the Act of the Thirteenth of *Queen Elizabeth* make it Treason, for any man to say that the Parliament cannot alter the Succession? And in *Henry* the Eighth's time, was not the Right of Succession changed and rechanged by Act of Parliament. He then instanced several precedents, how the Succession had been settled and altered by Acts of Parliament, since *William* the Conquerour's time, and concluded with a motion for the passing of the Bill.

Mr. Speaker,

Col. L. Sir, It is my misfortune to lie under the disreputation of being a Papist, but have now an Opportunity of shewing my self otherwise, in declaring that I am against this Bill, for I think there is none but Papists that are of Opinion, that a man may be disinherited for his Religion. I have also an opportunity to shew my duty to my Master, in declaring that those reproaches which have been cast upon him, are in my opinion very unjust, because I believe he abhors the thoughts of doing those Actions that have been imputed to him, and therefore do think it very hard, that because he may differ with us in points of Religion, that therefore his Reputation should thus be called in question in this House. Sir, I cannot enter into a dispute with that worthy member that spoke last, as to the precedents he hath mentioned, because I know he is very learned in the Law, and the understanding of such things belong

belong more particularly to such as have had that education; but I humbly offer it to the consideration of the House, whether or no, if our *English* Histories be true, most of those precedents were not accompanied with blood and misery. And I am of opinion, that if this dishonouring Bill should pass, it will not have better success. I cannot doubt but that this House is for keeping up the Monarchical Government of this Nation, we all know how the ballance hath been altered by *Henry* the 7ths lessening the Peers, and *Henry* the 8ths destroying the Church, and by the Sale of the Crown-Lands. I pray Sir, let us have a care, how we give a greater blow than all this, by making the Crown Elective. The King lost his Father by one Rebellion, I know this House would not willingly be the cause of losing his Brother by another, which I am afraid this Bill if it should pass, will occasion hereafter, especially if we name no Successour; for which I am the more sorry because I do not know for whom to draw my Sword.

Mr. *Speaker*,

Sir *H. C.* Sir, I do observe, and am glad to see it, that all that have spoken in this business *pro* or *con*, seem to agree, that we ought to do all we can to preserve the present Government, and prevent a Civil War, but we differ about the way, some think that this Bill is the only way, and others are of a contrary opinion, I cannot tell for what good reason. For there being nothing intended by this Bill, but the Exclusion of the Duke only, in order to prevent the great dangers we lye under by reason of his great Influ-

ence at Court at present, and those we fear; if ever a Popish King should ascend the Throne. There being nothing in the Bill that tends any ways to prejudice the next Heir, it cannot in my poor opinion weaken, much less tend to alter the present Government, or be any prejudice to the Royal Family, more than in the Exclusion of this one Person intended by the Bill. From whom there can be no fear of a Civil War, unless we should imagin that the people of this Nation, when they have a Law, upon the observation and execution whereof, their Lives, Liberties and Religion depend, they should be so great Brutes as not to value themselves thereon, but rather imbrace a blind superstitious Religion, and submit to all the Slavery imaginable. We may as well think that after the King's decease, the people will be willing to submit to the Government and pretended Authority of the Pope himself, though they should be never so well able to defend themselves. The worthy Member that spoke last did in a manner affirm, that all the Pretidents that have been mention'd as to the setting of the Succession of the Crown by Act of Parliament, have been accompanied with Blood. If he would but take the pains to peruse the Histories of *England*, I think he ——— would be of another opinion. But I am sure, none ever equallized the short Reign of *Queen Mary*. The Barbarities which were exercised in her Reign, by Fire and Faggot, may be put into the ballance with all the inconveniencies that ever hapned by any Exclusion-Act. But Sir, if it had been so, which I utterly deny, it would not have signified much as to

our case, for in those days matter of Right was always so confounded (I mean as to the understanding of the people) by the many Arguments that were imposed on them by each Party, that neither point of Right, nor any consideration as to any thing of Interest, came fairly before them. Whether *A.* or *B.* should be King, was their only question: without being loaden with any difficulties, as to which the Common and major part of the people in those days might probably be very indifferent. And yet, Sir, upon a full Examination, it will be found that most of those Acts of Parliament touching the Succession, had the Effect they were designed for, and did serve as Expedients, to prevent those miseries, which were feared and were the occasion of them. But Sir, the case will be now much otherways, if ever you should be so unfortunate, as that the Duke should out-live the King, and you should come to try the strength of this Exclusion Bill: For the question in this Case will not be only whether *A* which is Excluded, or *B.* which is the next Heir shall according to this Act be King, but whether it shall be a *Papist*, or a *Protestant*. Upon which it will plainly appear, the safety of their Estates, Lives and Religion doth depend. Sir, I have heard and read of strange things done by Popish Miracles, and I must confess, Sir, I have seen much of it, even amongst many, that pretend to be good Protestants, since the Plot broke out, I mean as to their believing any thing against Popery. If some such Omnipotent power, should hereafter over-rule in such a conjunction, haply this Bill if it should pass into an Act, may be slighted and neglect-

ed, but otherways I humbly conceive it cannot be presumed, that the *Protestants* should omit to make use of it to save themselves from *Poverty* and *Slavery*; which would be the consequence thereof; and thereby not only prevent a Civil War, but support the Government Establishment in the Right Line. The Truth is, Sir, the most material Observation that I can make of the Arguments against this Bill, is, that it is *thought too good for us, and that it may probably be effectual for the securing of the Protestant Religion.* And I am afraid, Sir, that this is the fatal Consideration that hath prevailed with some to advise the King not to grant it. If we consider, how all other Laws which have been hitherto made against the Duke, have been defeated, we may with some Reason, fear the like success of all others that shall be made, unless you can do something that may tend to changing of the Interest; which can never be done without this Bill. We have a great many old Laws against Papists, but I did never hear that any thing was done by virtue of them that ever prejudiced the Duke; it was once attempted by a *Presentation* made by a Grand Jury, the success was, that a known material Law of the Land must be broken by an extrajudicial discharge of the Jury, rather than the Law against him should have any Effect. There was a Law, not long since made, obliging all Persons that held or executed any Office, to take the *Transubstantiation Test*; it is true, the Duke was so brave-spirited as not to dissemble, and take the Test, though haply was earnestly pressed with a Dispensation. Yet hath not that Law had any effect in favour of the

the Protestant Religion; for though the Duke hath not since acted in his Offices by himself, he put in, as his Deputies, Persons of so much Granditude, as have in all things followed his Directions. So that as to himself, the Act hath not proved of any force. There was another Act lately made, which was intended chiefly against him, I mean that of Excluding Papists from sitting in either House, there he got himself fairly excepted by Name. Now we would secure our Religion by another Bill against him, I find it meets with Opposition here; what it may meet with elsewhere, I cannot tell. But if *such be his power under a Protestant King, what may we not justly fear if he should come to be King himself?* I think nothing less than Popery, Misery and Slavery; from which we can never be saved but by having this Bill; and therefore I humbly move you that this Bill may pass.

Mr. Speaker,

D. F. Sir, I will not say, that Acts of Parliament cannot dispose of the Succession, because it was made Treason by a Statute in the 13th of Elizabeth, which I do not remember was ever repealed. But I will deny, that the Kings of England Rule by virtue of any Statute-law, as was suggested; for their Right is by so ancient a Prescription, as that it may justly be said to be from God alone, and that no Power on Earth ought to dispute it. And I am of Opinion, that the Succession of the Crown is inseparably annexed to Proximity of Blood; and therefore am not yet altered in my Opinion, that if this Bill should pass into a Law, it would be of it self invalid. Which, with what hath been already

said, that we cannot in Justice answer the insisting of this severe Condemnation without hearing the Party concern'd; and the improbability of ever attaining this Bill, doth very much weigh with me for my Opinion against this Bill. But Sir, I think there are many doubts arise from the penning of the Bill, if the Principles of *Orange* should come to the Crown during the Duke's Life, and the Duke should afterwards have a Son, must that Son lose his Right for ever? I see no provision made by this Act to save his Right, and may not that occasion as great a Civil War, between his Generation, and the Princesses Children, as ever hapned between *York* and *Lancaster*; and Sir, I am still unsatisfied, as to that proviso about the Duke's Children, that it is not made as it ought to be, and I am afraid that in the whole matter we are gratifying *France* and the Papists too, by laying a stumbling block of Division even amongst Protestants themselves, and giving so great an occasion for a Civil War; which I hope you will endeavour to prevent, by throwing out this Bill.

Mr. Speaker,

7. T. Sir, I have hearkned to the objections that have been made against this Bill, which have not convinc'd me, that we want either a just cause or legal Power for the making of this Bill. *If the Popish Interest be grown too strong for the Protestant, then any of these Arguments may serve, for force and Power will supply the defect of them.* Otherways I think they have been so fully answered, as that there is no need more should be said about this matter, but I am sorry to see that the Protestant Religion and our Lives and Liberties,

Liberties must have nothing to depend on, but the continuance of the King's Life, and the good Nature of the Popish Parry afterward. And this after such demonstration as we have of the Interest of that Parry in *France, Scotland, and Ireland*, as well as here; and after a full detection of the growth of that Interest by means of the Duke's, and of the endeavours that are used to possess the Protestants with several Opinions that will tend very much to the strengthening of it, and a clear Discovery that the Plot in favour of Popery goeth on as much as ever. It hath created in me an opinion, that Popery is too strong to be subdued by Laws, and that after this King's Life, the *Protestant Religion must either be overcome by Popery, or defend it self by the Sword*. At least, I believe, that this is the Design of some Men now about the King, but I hope he will at last hearken to the advice of his Parliament, and prevent the Nation from falling into so miserable a condition; the objection made about the Duke's Son, if he should have any, after either of his Daughters have taken possession of the Government, may in some measure be made against the course of Succession observed in all Kingdoms; if a King die leaving a Queen, the next Heir is presently proclaimed, to prevent an *Interregnum*, though there be a possibility of the Queens being with Child, to whom the Right should in the first place belong. If any such should be born, such a settlement as is designed by this Bill, may destroy the *French and Popish Interest*, but can never be a gratification to them; our Ancestors upon many occasions

occasions settled and changed the Succession; Of which he gave many Instances, and concluded for the Bill.

The Seventeenth of November, 1680.

His Majesties message about Tangier was read.

HIS Majesty did in his Speech at the opening of this Session desire the Advice and Assistance of His Parliament in relation to Tangier; The Condition and Importance of the Place obliges His Majesty to put this House in mind again, that he relies upon them for the Support of it, without which it cannot be much longer preserved. His Majesty doth therefore very earnestly recommend Tangier again to the due and speedy Care and consideration of this House.

Mr. Speaker,

Sir W. J. Sir, I am very sorry that the Business of Supply for Tangier is now moved, because I take it to be a Place of great Importance, and that as well for the Honour of the Nation, as Benefit of Trade, it ought to be preserv'd. But, Sir, we have now things of greater Importance to look after, of so pressing a nature, and of so dangerous consequence, if delay'd, that we cannot answer either to our King or our Country the preferring this before it. *It is a Duty incumbent on us, to secure things at home, on which our All depends, before we enter into an Expence of Time about securing things abroad.* If an Enemy were but coming to invade us, it might be proposed

per to fortifie Dover-Castle, Portsmouth, or Plymouth, or any of our Port-Towns: But if an Enemy were actually Landed, it would be more proper to strengthen London, or other In-land Cities or Towns. I am afraid, Sir, this is too much our Case; I am afraid we have got an Enemy within our Bowels, and a great one too, and that it is high time to make preparation to oppose him. We have been already careless and inconsiderate too long; and shall we now go about *Tangier*, instead of continuing our Endeavours about that? *Tangier* may be of great importance to Trade, but, I am afraid, hath not been so managed, as to be any Security to the Protestant Religion. The *Portugueses*, when they delivered it up, did covenant to have one Popish Church remain there, for the Convenience of some Priests and Fryers, and others of that Nation, that were permitted to stay there; but it was then agreed, That their Mortality should not be supplied, that so after the Decadence of those Persons, the said Popish Church might be demolished, or converted to a Protestant Use. But I am well inform'd, that it hath been otherwise managed, and that the Papists there are now more than ever. And was not my Lord *Bellasis*, now a Prisoner in the Tower, for the Plot, Governour of *Tangier*? and, I think, some others of that Religion; if not, I am sure the Soldiers, and their Commanders, are most of that Religion: Which makes me conclude, it is a kind of Nursery for Popish Soldiers, and happy, for that Reason, as much as for the Advantage of Trade, may the Advice given His Majesty in reference to *Tangier*, proceed. But, Sir, there is another

ther Consideration, which will make the Debate of *Tangier* improper at this time; It must end in Money, and not a little Sum neither, enough to raise an Army; which although in time I doubt not but this House will be willing to advance, as far as His Majesties Occasions shall require, yet, I think, Sir, we are not ready for it as yet. We must be better satisfied into whose hands it will go, whether to such Persons as are for the Popish Interest, or Protestant; that so we may not be afraid, that instead of going to the Support of *Tangier*, it should be employed to the Destruction of the Protestant Religion. When these things have been looked into, and secured, then it will be time to take care of *Tangier*, and of all other his Majesties Dominions. In the mean time, our Duty binds us to give his Majesty all the satisfaction we can, as to our Proceedings; and therefore I humbly move you, that a Committee may be appointed to draw up an Address for that purpose.

Mr. Speaker,

L. H. Sir, Every one that knows how advantageously *Tangier* is situated to command the greatest Thorow-fare of Commerce in the World, and how by the advantage of the Mold it is like to prove an excellent Receptacle for our Merchant-Ships, to further and secure them in their Trading Voyages into the *Straits*, and for our Men of War, when they may be employed in those parts, to check or oppose the *Turks* or other Enemies; how advantageous it is for carrying on a Trade with *Spain* in cases of extremity; and what hopes we have of opening a Trade into *Barbary* that way; I say, every one that

that will consider these things, will, I suppose, have reason to conclude, that it is a place of great Importance, and not to be slighted. And I cannot believe that it is any Nursery for *Papist* Souldiers, as hath been argued; for it is well known under what a Regulation our Souldiers are, not only here in *England*, but in *Ireland* too, of taking such Oaths and Tests as secures them to be *Protestants*. And therefore I am confident they were not *Papists* when they went hence, or from *Ireland*; and I have not heard there is any such Conversion made among them there, nor do believe there are so many Instruments there for that Work. If this Bustness come before you unseasonably at this time, it is because the Necessity of the Affair requires haste: For, either this House must speedily give some Assistance for *Tangier*, or else it will be lost. For the *Moors* are come down with such a mighty Army, and His Majesty hath been at so great an Expence already, that He is not able of himself to do more to oppose them. And this sudden Danger could not by any means have been foreseen; for the Motions of the *Moors* with their Armies are not like those of *Europe*, but more quick and sudden, and their Designs and Consultations out of the reach of any Discovery by Intelligence, before put in execution. This Notice is more seasonable now, than it would have been after the place had been lost, which, I am afraid, will be the next News, if something be not done by this House to relieve it. And therefore I humbly move you to think of some effectual way to relieve it for the present, and secure it for the future against the like Attempts.

Mr.

Mr. Speaker,

7. H. Sir, among the rest of the Regiments that have been sent to *Tangier*, I think there is my Lord of *Dunbarton's*; haply that Air might have changed them, but I am sure they were lookt upon as rank Papists all the while they were here, and, I believe, in *Ireland* too. I have heard that one Argument that was lately given elsewhere against a Bill which we pass'd in this House, was, that the Duke had all the Papists in *England* ready for his assistance, that his particular friends had the Command of all the places of Strength in this Nation, that he had an Army of Twenty Two Thousand men in *Scotland* at his Command, that in *Ireland* the Papists were fix to one for the Protestants, and that most of the Princes of Christendom were Combined for his assistance; add to this, that the Government of *Tangier* is also at his Command, and, I think, we shall have no great reason to give Money as yet; I am very well satisfied, Sir, that we ought and must put a trust in the King, an Argument much used in former Parliaments, I do admire hath been so long forgotten in this. I am sensible too, that this Nation cannot be happy, unless there be such an understanding between the King and his People, as that Money may be given. But, Sir, if the things I have repeated, be true, as I am afraid they are, how shall we be sure, that what Money we give, shall ever go to the King; May it not be intercepted by the mighty power we have been speaking of? May it not be a great Temptation for carrying on the Plot, especially as to that part of it that refers to his Sacred

Life?

Life? If there were no other Reason to be given but this, why we cannot at this time give Money, *I think it enough: for there is a perfect contradiction between the Kings Interest, and the Dukes Interest,* and until we see about the King, Persons less engaged for the Duke's interest, we cannot answer the giving of Money; and I humbly move you, that the Committee may make this consideration part of their Address.

Mr. Speaker,

W. H. Sir, my Lord Bellasis hath not only been Governour of *Tangier*, but of *Hull* too, and what a place that is to be entrusted with a Papist, I refer to your Consideration. And he was not only always in Places of great Trust, but in so great a power, that none of the Laws of this Land could ever reach him. Only upon breaking out of the Plot, he was committed to the *Tower*; but now that he is there, he hath so much power, (he or his Friends for him) as that he hath all the Liberty he can there desire; and further proceedings against him are kept off by Prorogations and Dissolutions of Parliaments. By which the Evidence of the most material Wines, as to the Plot, is lost, and great Endeavours have not been wanting to corrupt or defame the rest. By which it is plain, though he be in the *Tower*, yet his interest is not much abated, insomuch as many believe that the Duke's interest, and Popery, is in a great measure carried on, upon Consultations held with him, and some of the rest in the *Tower*. At least, this is certain, that they know all Secrets of State as soon as any persons without. And therefore I think we

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are not yet ripe to give Money for *Tangier*. And, Sir, I am of opinion that *Tangier* is a Nursery for Popish Soldiers; amongst the rest, *I think Captain Tom. is there, who was to have headed the Apprentices Mutiny in London, and if I be not misinformed a Capt. too for that intended eminent service.* When we are assured that we shall have a good Protestant Governour and Garrison in *Tangier*, then I shall heartily give my Vote for Money for it, but I am afraid that will never be, until we are sure of a good Protestant Successor at home. Sir, I see that new dangers start up daily, and that the Popish Interest is strong enough to bid defiance to the Protestants, the power and merits of the Duke being magnified frequently above the King's. How to prevent the growth of it, I do not know, all that we can do at this time is, to appoint a Committee to draw up an Address (as hath been moved) to represent things fairly to the King, and pray, Sir, let it be drawn with that duty and humility as becomes Subjects, *but with that truth and plainness as becomes a true English House of Commons.*

Mr. Speaker,

E. D. Sir, I am very sensible of the Danger of Popery, and I am sorry to see that our Danger is now greater, than it was seven days ago, seeing we are not like to have those Laws to secure us, which we hoped for; and therefore I am not for entering into any debate about Money. But, Sir, seeing that *Tangier* is a place of so great importance, and in so great distress, and seeing his Majesty hath so heartily and earnestly recommended it to the

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care of this House, as well by this Message as by his Speech at the opening of this Parliament. I humbly conceive you will do well to order, that a true Account be brought in of the State of *Tangier*, that so it may be in a readiness to be considered at a more leisure time, when you have found out, and are assured that you shall have some Expedients to secure you from Popery, that may satisfy this House instead of the Exclusion Bill. Some such order may satisfy the World, that we were making all the haste we could to supply it, that so the loss of it (in case it should so happen) may not be imputed to this House. And I make no doubt but there may be some way found out, so to lodge and appropriate the Money, as that it may be secure for that use; and therefore I humbly move you that you would order, that an Account of the State and Condition of *Tangier* may be brought in.

Mr. Speaker,

Col. B. Sir, I could wish our Fears and Jealousies were either so inconsiderable, or so well over, as that we were ripe to consider the state of *Tangier*, and into whose hands to lodge Money for it. But if our Bill be miscarried, and the power and strength of the Duke's Party be as I have heard, I think we ought in the first place to consider, whether we have any thing to give or no. And if we find we have not, or that it is in great jeopardy, I think we ought first to secure that a little better, before we treat of securing *Tangier*. I confess the Arguments that I hear have been used elsewhere against our Bill, have a little startled me. For now I see why

all the Laws made against the *Duke* have proved ineffectual; and that, notwithstanding all the Endeavours of Parliament, he hath had the Administration of all Affairs, not only in *England* and *Scotland*, but I think in *Ireland* too (if we believe the *Irish* Witnesses,) even since the breaking out of the Plot : Even because the Duke and the Popish Interest are, I am afraid, strong enough for the King and the Protestant Interest. And if so, I think we may take it for granted, that we have not any thing of our own ; for I conclude, if Popery come in, not only the Church-Lands, but all the Lands we have, will be little enough for them ; for they will never want a good, holy, sanctified, religious pretence to take them from us : Rather than fail, I doubt not but that they will be able convincingly to make out, that we are Bastards, or that they have a Right *Jure divino* ; to which there can be no opposition.

Sir, I think we cannot answer to God nor Man the giving of Money, until there be a great Reformation all over the Nation, as to Persons in Trust and Command. Not but that there are very worthy Men in several Places ; but I am afraid, no where, without being overpowered by such who are for the Dukes Interest : And for my part, I desire to speak plain, I cannot make any distinction between the Dukes Interest and the Popish Interest. If there be any Body that can split that Hair, I wish he would do the House that Service ; for I take it to be a material point, and fit to beagreed some way. And if it be so, Sir, can we give Money, as long as there are eleven to seven in some places certainly known,

known, and all in others; and in places of great Importance too;

Sir, I am very sensible that this Session can never be successful, nor the Nation happy, unless we come to have so fair an understanding with His Majesty, as that we may freely give Him Money; which, seeing it cannot be done with any security to the King or His Government, as long as the great Affairs of this Nation are thus influenced, that there may be no just cause of having any Imputation lay'd at our door, I agree in the Motions that have been made for an Address, and desire it may be drawn very full and plain.

Mr. *Speaker*,

G. V. Sir, I am much afraid of *Tangier*, but more of a *Papish Successor*. By the one we may lose something of Trade; but by the other, our Religion, and all we have, stands in danger. And therefore until we are secur'd as to that, for my own part, I do not think my self concern'd in any thing else. Sir, for these two years last past there hath been talk of Expedients to secure us against Popery; I believe it was only to quiet our Thoughts, while Popery steals on upon us. For we are so far from having any Expedients brought to perfection, to secure us against Popery, that all Endeavours go on as much as ever to bring in Popery: Parliaments kept off; the Witnesses, as to the Plots, both *English* and *Irish*, abused, and consumed; the Church-men set up to labour for a Prosecution of the Dissenters, in order to divide yet more the Protestant Interest; and false Witnesses, in favour of Popery, countenanced and encouraged.

Sir, These are strange Expedients- against Popery ; I begin to be perswaded that our Case is very desperate, and that the Popish Party themselves cannot contrive any thing for us that will look like an Expedient : For, I make no doubt, but the whole Cabal of *Jesuits* have been at work about it, and that they would have spaw'd something, if it had been possible, before now. But I believe it is found to be very difficult to find out any thing that will look like an Expedient, and yet not prove so : And therefore now they are plainly carrying on those things that must be prosecuted in order to establish Popery, in case the Expectation of Expedients should no longer lull the People asleep : The ridiculing of the plot, the Divisions between our Churchmen and Dissenters, and the Danger or Inconsistency of Parliaments with a Monarchical Government. Which things will deserve a longer Debate, when you shall think good to appoint a Day for them. But, in the mean time, we cannot give Money, without endangering the Religion and Government of the Nation. But that we may always shew to his Majesty's Messengers, that Respect which is due to them, and, if possible, satisfy him, that our Resolutions are grounded on true Reason, let a Committee be appointed to draw up an Address, upon the Debate of the House.

Mr. Speaker,

S. T. Sir, I think that no body should move you to take the State of *Tangier* into your Consideration at this time, without an Apology : For, if we should be perswaded thereto, we may be reflected on, as *Nero* was, for being playing on
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his Fiddle when Rome was on Fire. When we are in such danger to have our Throats cut from within, to what purpose will it be to spend our time about securing things abroad; especially when we plainly see, it cannot be effected by any Supplies, without encreasing our Fears and Dangers of our Destruction? Is not all *England* in danger to be lost? Let us secure the ship, before we dispose of the Cabbins. When we are secure against a Popish Successor, and the fear of having a Popish King, then it will be time to think of *Tangier*: For, as the power of a Popish Successor hath lately appeared in the Opposition made to our Bill, so, I make no doubt but it will appear in the Maangement of our Money too, if we should give any. When the Stomach is clean, what Food a Man takes turns to Nūtriment; and preserves the Life and Strength of the Body; but when the Stomach is foul, Food turns to Humour and Destruction. Sir, so it is with the Body Politick: When the King shall be pleased to remove from him such as give him ill Advice, and are against the Protestant Interest, that so we may have reason to presume, that the Money will be employed for our good, then I hope we shall be ready to shew our Duty, in giving as much Money as his Occasions shall require; otherwise I am afraid we may be served as we have been formerly. I remember when 1100000 l. was given for Building of Ships, and not one Ship built; and above two Millions given to support the Triple League, and then it was presently employed for the breaking of it; when 1200000 l. was given for an Actual War with France, when at the same time we were under all

the Obligations for Peace, and so continued. Sir, these are such material *Mementos* as we ought never to forget, until we have more cause to look forwards, and not backwards; which I pray God we may have very speedily, and then I shall be ready to joyn in giving of Money, and be very well content to forget all that is past. But as yet I think, our Condition is not so happy, but rather fear the Management of our Affairs is very much out of order: *For though we had never more Treasurers yet never less Money; never more Admirals, yet never a worse Fleet; and though never more Counsellors, yet never less Safety.* Of which I hope His Majesty is, or will be sensible, For, it cannot be imagined, that seeing he hath so much care for *Tangier*, he should want any for the *Nation*. That we may do our Duty, in giving Him the best Advice we can, let us give him the Grounds and Reasons of our Proceedings, by an Address, as hath been moved.

Mr. Speaker,

Lord R. If ever there should happen in this Nation any such Change, as that *I should not have liberty to love a Protestant, I am resolved to die one*; and therefore would not willingly have the Hands of our Enemies strengthened, as I suppose they would be, if we should give Money while we are sure it must go to the hands of the Duke's Creatures. Doth not the Duke's Interest endanger the King's Life? and are not our Lives and Fortunes in danger to be swallowed up by his Power? and shall we yet make him stronger, by putting Money into their hands? No, Sir, they are too strong already; but whenever His

Majesty

Majesty shall be pleased to free us of the danger of a Popish Successor, and remove from his Council and places of Trust, all those that are for his Interest, (because there can be no distinction made between the Duke's Interest and Popish,) then Sir, I will conclude, that what Money we shall give, will be disposed of according to his Majesties own Royal Pleasure, and for the true Protestant Interest. And I shall be ready to give all I have in the World, if his Majesty should have occasion for it; but in the mean time I pray Sir, let us not endeavour to destroy our selves by our own hands. If we may not be so happy as to better the condition of the Nation, I pray Sir, let us not make it worse. And until the King shall be pleased to give us encouragement to express our Duty and Loyalty to him by giving him Money, let us do it by making an Address.

Mr. Speaker,

W. L. Sir, I have reason to have some knowledge of *Tangier*, having been there my self, and convers'd all my life time with Persons that have gone up and down the *Straits* and been there many times, but I cannot agree with those worthy Members that make it a place of so great Importance. That we shall ever thereby open a Trade with the *Moors* is a mere *Chimera*; they will not have any Trade with us, All the hopes we can have of any advantage from it, is from the *Mold*, if it should be finished. But I am afraid we have seen the best of it, and that it will hardly ever be brought to more perfection than it is. But Sir, if it should, in a time of Peace with *Spain*, it will be of little use to us;

for the *Bay of Cadix* is upon several accounts so much more convenient for Ships to stop at, that it will always be preferred. For they will not only have a safe riding, but the Merchants Ship great advantages, made by Freight or Sales of Goods, which generally happens in that Port, and of good Company, whether going up or down the *Straits*. Our Men of War do not there want Conveniences to Careen, or other necessities, and will be then more ready to do the Nation Service, by conveying Ships, than at *Tangier*, as also to carry on the Money Trade. But it is true, that in a time of a War with *Spain*, it would be very Serviceable to us. But if it must cost 100000 *l. per annum*, and if a War with *Spain* be not like to happen one year in twenty, I am of opinion that the certain Charge will amount to no more than the uncertain inconvenience, and therefore that we need not be so extremely concern'd for it.

Mr. *Speaker*,

T. L. Sir, I should not have concerned myself in this Debate, but that I differ from that worthy Member that spoke last. For I think it would be a great blow not only to the Honour, but to the Trade of the Nation, if *Tangier* should be lost. For it will always be servicable, as well for our Men of War to resort to for Provisions, and to be cleand, in order to check the rapine of the *Turks*, or oppose other Enemies, as for the protection of our Merchant-men. In time of Peace with *Spain*, it will (if we have Enemies) be better have two Ports than one; in time of War with *Spain*, much better have this than none. And even in the time of Peace, it must

be Serviceable upon many occasions, because of its Situation on the *Barbary* side as I take it, and *Cadix* on the Christian Shore, and both near the *Straits-Mouth*, the greatest passage for Ships in the World. And by parting with it, we may not only be prejudiced for want of the conveniency of it, but by the great inconveniences that may arise, by falling into the hands of the *French*, *Turks*, *Moors*, or *Spaniards*. And therefore I think the charge of maintaining it, must not be considered in this case, and it is not so much, but that if we could once fall into the way of sending good Governors there, that would mind the promoting of Trade, haply the gains that might be levied thereon, would in some time prove sufficient to maintain the Garrison. And if we should now part with it, we should lose the two Millions we have laid out on the *Mold*, which I think may also be worth our consideration. Sir, I do well remember what a cry there was in this Nation, upon the delivery up of *Dunkirk* to the *French*; I believe if *Tangier* should be delivered up there would be more, and I think not without cause too. For I am afraid, that when ever we may have a War with *France*, we shall find that he hath already too many locks upon us in the *Straits*, seeing he is so formidable at Sea. And I think if it were for no other reason but to secure the place out of his hands we ought to keep the possession of this place.

Mr. *Speaker*,

L. J. Sir, by the discourse which the worthy Member made which spoke last, I hope you are fully satisfied that *Tangier* is a place of great importance, and you may conclude that his Majesty

jesty

jesty is clearly of that Opinion, or else it is not likely, that after he had recommended it to you in his Speech, he would now so soon have minded you of it again by his Message. And being so, I hope this House will not have the loss of it lye at their Doors, which I take for granted, will be the Fate thereof, if some Supply be not given for its support speedily. For his Majesty's Revenue, will not bear the advancing of more Money towards it, the great Supplies lately sent, having been very chargeable; and yet there must be an additional Supply, and that a considerable one too ere long, to make up the Garri-son four thousand Men, or else the Governour Writes he cannot be in a posture to defend the Town, the Army of the *Moors* is so potent.

Sir, I have heard the many Reasons that have been given, why Money cannot be at present advanced, I cannot say without being much concerned to hear the Ministers so Arraigned, and I think without Cause; For I believe there are none about his Majesty but what are very good Protestants, and willing to do all they can for that Interest: Which I hope upon a further Consideration, will not be found to be in such apparent danger. But if there be any thing amiss (which in the management of so great Affairs, under such Difficulties as the Nation hath lately struggled under) may possibly be, I am confident the loss of *Tangier* will no way remedy it, but on the contrary, the giving of Money for the support of *Tangier*, being his Majesty doth so earnestly desire it, is, I think, the only way of this House to gain a good Opinion with His Majesty, and to obtain what they

they desire, and therefore I hope you will take it into your consideration.

Mr. Speaker,

Sir F. W. Sir, My apprehensions as to the State of the Nation, and danger of Popery, are no way abated by what this Honourable Member hath said, and therefore I think the business of *Tangier* looks too little for this days Debate. Especially if we consider how the Bill upon which all our hopes were grounded, as to the security of our Religion hath been used by the Lords, thrown out, without so much as a Conference, whereas they do not usually do so, with Bills that relate to some little Trade. It is strange, that after they have so often declared the danger of Popery, and a Popish Plot, *They will neither receive any remedy from us, nor propose any to us.* But rather on the contrary be so industrious to blast all our Endeavours that tend that way; well may we be afraid of our Religion, *If the Fathers of the Church will join, it being against the only means that can save it.* These are fresh Instances of the mighty Power and Influence of a Popish Successor; what may we expect from them if we should have a Popish King? I think, Sir, if there were no other reason, it is enough to make us cautious how we give Money; and take such notice of in our Address as may be convenient.

Mr. Speaker,

Sir, W. T. Sir, This Debate hath more of weight in it, than the business of *Tangier*, I think,

think. As affairs now stand, the most part of Christendom is concerned in it, I am sure all the Protestants. And therefore I hope your patience will hold out, to have the whole Circumstances of it fairly Examined : For the Arguments that have been offered in the consideration of this Message, have enlarged the debate further than was at first intended, and have brought the whole State of the Nation in some measure before you, instead of that one particular business of *Tangier* ; so that now what Resolve you make will be a Discovery of your inclinations, not only as to what you intend to do as to a supply for *Tangier*, but as to giving Money for Alliances and all other occasions, upon which result the good or bad success of this Parliament doth depend. As to *Tangier*, I do agree with that worthy Member that I spoke before, (though many are of a different Opinion) that it is not of any great use to us upon the account of any advantage we shall make by it. But however I think it is very well worth our keeping, because of the disadvantages we should receive by it, if it should fall into the hands either of the *Turk*, or *Spaniard*, but especially the *French* ; who will not only be thereby enabled to fetter us, as to our Trade in the *Levant*, but to curb also all other Nations whatsoever, and be such an addition to the too great Power he hath acquired, both by Sea and Land already, that I am of Opinion we ought to be very cautious how we weaken the Security we now have that it shall not fall into his hands. But if the Mold and the Town could be blown in to the Air ; or otherwise reduced into its first

Chaos,

Chaos, I think, considering the charge it will cost keeping, *England* would not be much the worse for it; but to move you to consider any thing about that, at this time, cannot be proper, because the *Moers* have so besieged it, that the first thing that must be done, whether in order to keep it or destroy it, is, to beat them off, by some speedy Supplies which must be presently sent, or else the Town according to the best Information come from thence is like to be lost. And, Sir, I think this single consideration may be persuasive to move you to give some some such Supply as may be precisely necessary for the defence and protection of this Place. A small Sum of Money, in comparison of what this House hath formerly given, may be sufficient to satisfy his Majesties expectation, and secure the Place too. But I must confess, Sir, it is not the consideration of *Tangier* that makes me press you to it; but the deplorable Estate of the Protestants abroad. Sir, I have had the Honour to serve his Majesty in some publick Employments, and by that means may be a little more sensible of the State of Affairs in reference to our Neighbours, than others may be, having not only had the advantage of Information, but was under a necessity of using my best endeavours to get a true account of them. Sir, I am confident the Eyes of all Europe are upon this Parliament, and not only the Protestants abroad, but many Catholick Countries (who stand in fear of the Power of France) do think themselves as much concerned in the Success of this Parliament, as this House, and will be as much perplexed to hear any ill news thereof

of. This Sir, as well as the necessities of our Affairs at home, make me trouble you at this time, to desire you to be careful what you do, that we may not occasion in His Majesty any dislike to this House. Whatever you do as to the business of Money for *Tangier*, I pray, Sir, let there be no notice taken in your Address, of the Lords having cast out your Bill, for we have no reason to think the King was any ways concern'd therein. To throw out a Bill of so great importance, without a Conference, was in my humble Opinion very strange, and contrary to the usual proceedings of that House. But pray, Sir, let it lye at their Doors that did it, for the King could not be concerned in a Parliamentary way. For by this means we may obviate all misunderstandings with His Majesty about this Affair, and I hope, create in him a good Opinion of this House, upon which the welfare not only of this Nation, but of *Europe* doth much depend.

Sir, His Majesty in his Message puts you in mind of giving advice as well as money, I think if we make that expression, the ground of our Address, we may Naturally graft very good things thereon, especially what may conduce to the preservation of a fair Correspondence. Sir, *Though a King alone cannot save a Kingdom, yet a King alone can do very much to Ruin it. and though Parliaments alone cannot save this Kingdom, yet Parliaments alone may do much to Ruin it.* And therefore we cannot be too circumspect in what we do. It is our Fortune to sit here in a Critical time, when not only the Affairs of this Nation, but the Protestant Religion abroad
 need

need our continuance, and for the same reason we may justly fear that there are those who endeavour to contrive the putting off this Parliament. I pray Sir, let us not give them any advantage, and then I doubt not but his Majesty's care and goodness, will at last overcome all difficulties, and bring this Session to a happy conclusion.

Mr. Speaker,

E. D. Sir, I think His Majesty may easily send succour to *Tangier* without any great charge. Here are three or four Regiments of Soldiers about this Town, which do rather hurt, than good to the Nation, and therefore may very well be spared, and then that Money which pays them now here, may pay them there, and so I suppose there will be no need of Money, save only for their Transportation.

Mr. Speaker,

P. Sir, This business hath been so long and fairly debated, as that I think it is high time you should come to a question, and put the business off your hands. I hope there will be great care taken in drawing this Address, that so our Enemies may not have any ground to represent us as a stubborn Parliament, that have no intention to give Money upon any Terms whatsoever. I think Sir, we may be plain with his Majesty, and give him as full assurance as ever any House of Commons did, that when we have those things granted, which are unavoidably necessary for the preservation of our Religion, that we will freely and heartily give Money for the supply of his occasions, and I cannot but hope, that such fair proceedings

ings will occasion a happy Issue to this Parliament. For it cannot be doubted, but that the King is very sensible, *That he owes more to his People in general, than to any one Man, be he Brother, or any other Relation, and that he cannot without much trouble to himself, because of His Coronation-Oath, longer permit that our Laws and Religion, should be in such imminent danger.* And therefore I hope that we shall not only have a fair Correspondency continued, but also a gracious Compliance in what we have desired for the essential security of our Religion, and therefore would desire you to put the question for a Committee.

Resolved, That a Committee be appointed to draw up an Address to be presented to his Majesty upon the Debate of the House, humbly representing to his Majesty the dangerous State and Condition of the Kingdom, in Answer to his Majesty's Message.

The Humble Address of the Commons in Parliament Assembled.

May it please your most
Excellent Majesty,

WE Your Majesty's most Obedient and Loyal Subjects, The Commons in Parliament Assembled, having with all Duty and regard taken into our Serious Consideration Your Majesty's late Message relating to Tangier, cannot but account the present Condition of it, as Your Majesty is pleased to represent it in Your sacred Message, (after so vast a Treasure expended to make it useful) not only as one Infelicity more added to the afflicted Estate of Your Majesties Faithful and Loyal Subjects, But as one Result also of the same Counsels and Designs which have brought Your Majesty's Person, Crown and Kingdoms into those great and imminent Dangers, with which as this day they are surrounded; And we are the less surprized to hear of the Exigencies of Tangier, when we remember that since it became part of Your Majesty's Dominions, it hath several times been under the Command of Popish Governors, (particularly for some time under the Command of a Lord Impatched, and now Prisoner in the Tower for the Execrable and Horrid Popish Plot) That the Supplies sent thither have been in great part made up of Popish Officers and Soldiers, and that the Irish Papists amongst the Soldiers of that Garrison, have been the Persons most Countenanced and Encouraged.

To that part of your Majesty's Message which expresses a Reliance upon this House for the support of Tanager, and a Recommendation of it to our speedy Care, We do with all Humility and Reverence give this Answer, That although in due Time and Order, We shall omit nothing incumbent on us for the Preservation of every part of your Majesty's Dominions, and advancing the prosperity and flourishing Estate of this Kingdom; yet at this time, when a Cloud which has so long threatened this Land, is ready to break upon our heads in a storm of Ruine and Confusion, to enter into any further Consideration of this matter, especially to come to any Resolutions in it, before we are effectually secured from the imminent and apparent Dangers arising from the Power of Popish Persons and Councils, We humbly conceive will not consist either with our Duty to your Majesty, or the Trust reposed in Us by those we represent.

It is not unknown to your Majesty how restless the Emancipators, and how bold the Attempts of the Popish Party, for many years last past, have been, not only within this, but other your Majesty's Kingdoms, to introduce the Romish, and utterly to extirpate the true Protestant Religion. The several Approaches they have made towards the compassing this their Design (assisted by the Treachery of perfidious Protestants,) have been so strangely successful, that 'tis matter of Admiration to Us, and which we can only ascribe to an Over-ruling Providence, that your Majesty's Reign is still continued over Us, and that We are yet assembled to consult the means of our Preservation. This bloody and restless Party, not content with the great Liberty they had a long time enjoyed, to exercise their

own Religion privately amongst themselves, to partake of an equal Freedom of their Persons and Estates with your Majesties Protestant Subjects, and of an Advantage above them, in being excluded from chargeable Offices and Employments, but so far prevailed, as to find countenance for an open and approved practice of their Superstition and Idolatry, without controul, in several parts of this Kingdom. Great Swarms of Priests and Jesuits have resorted hither, and have bere exercised their Jurisdiction, and been daily tampering to pervert the Consciences of your Majesties Subjects. Their Opposers they have found means to disgrace, and if they were Judges, Justices of the Peace, or other Magistrates, we have them turned out of Commission; and in contempt of the known Laws of the Land, they have practised upon people of all ranks and qualities, and gained over divers to their Religion; some openly to profess it, others secretly to espouse it, as most conduced to the service thereof.

After some time they became able to influence matters of State and Government, and thereby to destroy those they cannot corrupt. The continuance or Prerogation of Parliament has been accommodated to serve the purposes of that Party. Money raised upon the People to supply your Majesties extraordinary Decisions was by the prevalence of Popish Councils employed to make War upon a Protestant State, and to advance and augment the dreadful Power of the French King, though to the apparent hazard of this, and all other Protestant Countries. Great numbers of your Majesties Subjects were sent into, and continued in the service of that King, notwithstanding the apparent

Interest of your Majesties Kingdoms, the Addresser of the Parliament, and your Majesties gracious Proclamations to the contrary. Nor can we forbear to mention, how that at the beginning of the same War, even the Ministers of England were made Infirmments to press upon that State, the acceptance of one demand, among others, from the French King for procuring their peace with him, that they should admit the publick exercise of the Roman Catholick Religion in the United Provinces, the Schilters there to be divided, and the Romish Priests maintained out of the publick Revenue.

At home, if your Majesty did at any time by the Advice of your Privy Council, or of your two Houses of Parliament, Command the Lords to be put in Execution against the Papists, even from thence they gained advantage to their Party, while the edge of those Lords was turned against Protestants Dissenters, and the Papists escaped in a manner untouched. The Act of Parliament, enjoining a Test to be taken by all Persons admitted into any publick Office, and intended for a security against Papists coming into Employment, had so little effect, that either by Dispensation, obtained from Rome, they submitted to those Tests, and held their Offices themselves, or those put in their places were so favourable to the same Interests, that Popery is self but rather gained than lost ground since that Act.

But that when business in hand might yet more speedily and strongly proceed, as being a Popish Secretary (since Executed for his Treasons) takes upon him to set of use and maintain correspondence at Rome (particularly with a Marquis Subject of your Majesty, promoted to be a Cardinal) and in the Courts of
other

other Foreign Princes (to use their own forms of Speech) for the subduing that pestilent Heretic, which has so long dominked over this Northern World; that is, to Root the Protestant Religion out of England, and thereby to make way the more easily to do the same in other Protestant Countries.

Towards the doing of this great work, (as Mr. Coleman was pleas'd to call it) Jesuits (the most dangerous of all Popish Orders to the Lives and Estates of Princes) were distributed to the several Precincts within this Kingdom, and held joint Councils with those of the same Order in all Neighbour Popish Countries: Out of these Councils and Correspondencies was hatcht that damnable and hellish Plot, by the good Providence of Almighty God brought to light above two years since, but still threatening us; wherein Traitors impatient of longer delay, reckoning the prolonging of your Sacred Majesties Life (which God long preserve) as the Great Obstacle in the way to the Consummation of their hopes, and having in their prospect a proselyted Prince immediately to succeed in the Throne of these Kingdoms, resolv'd to begin their Work with the Assassination of your Majesty, to carry it on with Armed Force, to destroy your Protestant Subjects in England, to Execute a second Massacre in Ireland, and so with ease to arrive at the Subversion of our Religion, and the Subversion of the Government.

When this accursed Conspiracy began to be discovered, they began the smothering it with the Barbarous Murder of a Justice of the Peace, within one of your Majesties own Palaces, who had taken some Examinations concerning it.

Amidst these distractions and fears, Popish Officers, for the command of Forces, were allowed upon the Masters by special orders (unrepeiviously obtained from your Majesty) but Counter-signed by a Secretary of State, without ever passing under the Tests prescribed by the aforementioned Act of Parliament. In like manner above fifty new Commissions were granted about the same time to known Popish Officers, besides a great number of desperate Popish Officers, being out of Command, yet entertained at half pay. When in the next Parliament the House of Commons were prepared to bring to a legal Tryal the principal Conspirators in this Plot, that Parliament was first Prorogued, and then Dissolved. The Interval between the Calling and Sitting of this Parliament was so long, that now they conceive hopes of covering all their past Crimes, and gaining a seasonable time and advantages of practising them more effectually.

Witnesses are attempted to be corrupted, and not only promises of reward, but of the Favour of your Majesties Brother, made the Motives to their Compliance! Divers of the most considerable of your Majesties Protestant Subjects have Crimes of the biggest nature forged against them, the Charge to be supported by Subornation and Perjury, that they may be destroyed by Forms of Law and Justice.

A Presentment being prepared for a grand Jury of Middlesex, against your Majesties said Brother the Duke of York, (under whose Countenance all these rest shelter themselves) the Grand Jury were in an unbecoming, and unprecident, and illegal manner discharged; and that with so much haste, and fear lest they should finish that Presentment, that

they were prevented from delivering many other Indictments by them at that time found against other Popish Recusants. Because a Pamphlet came forth Weekly, called, The Weekly Packet of Advice from Rome, which exposes Popery (as it deserves) as ridiculous to the People, a new and arbitrary Rule of Court was made in your Majesty's Court of Kings Bench (rather like a Star-Chamber, than a Court of Law) That the same should not for the future be Printed by any Person whatsoever.

We acknowledge your Majesty's Grace and Care in issuing forth divers Proclamations since the Discovery of the Plot, for the banishing Papists from about this Great City, and Residence of your Majesty's Court, and the Parliament; but with trouble of Mind we do humbly inform your Majesty, That notwithstanding all these Prohibitions, great Numbers of them, and of the most dangerous Sort, to the Terror of your Majesty's Protestant Subjects, do daily resort hither, and abide here. Under these and other sad Effects and Evidences of the Prevalency of Popery, and its Abberents, We your Majesty's faithful Commons found this your Majesty's Dispressed Kingdom, and other parts of your Dominions labouring, when we assembled.

And therefore from our Allegiance to your Majesty, our Zeal to our Religion, our Faithfulness to our Country, and our Care of Popery, We have lately, upon mature Deliberation, proposed One Remedy of these Great Evils, without which (in our Judgments) all others will prove vain and fruitless, and (like all deceitful Securities against certain Dangers) will rather expose your Majesty's Person to the greatest hazard, and the People, together with all that's valu-

able to them as Men or Christians, to enter Ruin and Destruction. We have taken this occasion of an Access to your Majesty's Royal Presence, humbly to lay before your Majesty's Great Judgment and Gracious Consideration this most dreadful Design of Introducing Popery, and, as necessary Consequences of it, all other Calamities, into your Majesty's Kingdom. And if after all this, the private Suggestions of the subtle Accomplishers of that Party and Design should yet prevail, either to elude or totally Obstruct the Faithful Endeavours of Us Your Commons for an Happy Settlement of this Kingdom, We shall have this remaining Comfort, That we have freed ourselves from the Guilt of that Blood and Desolation which is like to ensue. But our only Hope, next under God, is in Your Sacred Majesty, That by your Great Wisdom and Goodness, we may be effectually Secured from Popery, and all the Evils that attend it; and that none but Persons of known Fidelity to Your Majesty, and Sincere Affections to the Protestant Religion, may be put into any Employment, Civil or Military; that whilst we shall give a Supply to Tangier, we may be assured, we do not Augment the Strength of our Popish Adversaries, nor encrease our own Dangers. Which desires of Your Faithful Commons, if Your Majesty shall graciously vouchsafe to grant, we shall not only be ready to assist your Majesty in Defence of Tangier, but do whatsoever else shall be in our Power to enable Your Majesty to Protect the Protestant Religion and Interest, at Home and Abroad, and to Resist and Repel the Attempts of Your Majesty's and the Kingdoms Enemies.

The 13th of November. 1680,

(8137)

November 13. 1680.

*Several persons Examined about the dismissing
of a Grand-Jury in Middlesex.*

Mr. Speaker,

SIR, The preservation of the Government in general, as well as our particular safeties, have a dependance upon the matter that is now before you, in which there are so many Miscarriages so complicated, as there arise some difficulty how to Examine them. I cannot but observe, how the Proclamation is here again mentioned; by which you may conclude, therelyeth a great weight on the peoples right to Petition by means thereof, and that the best way to remove it, is to find out the Advisers and Contrivers of that Proclamation, in order to proceed against them according to their deserts. Without which, what you have done in asserting the Right of Petitioning, will remain with some doubt; and those that advised the proclaiming to the people, that it is Seditious to Petition the King, without that chastisement they deserve. And therefore I humbly conceive, you will do well to consider of it as soon as you can. It is not strange, that the *Proclamation* should be made use of with Country *Gentlemen*, to get Abhorers to Petitioning, seeing the Judges themselves have made use of it to that purpose. *They should have known, that though a Proclamation might be of great use, to intimate the observation of a Law, yet that it had never been used*

instead

instead of a Law. But yet I do not admire so much at this, as I do at the Discharge of the Grand Jury, before they had finished their Presentments. *It tends so much to the Subversion of the established Laws of the Land, that I dare pronounce, that all the Laws you have already, and all that you can make, will signify nothing against any great man, unless you can remedy it for the future.* I observe there were two Reasons why this Grand-Jury were so extrajudicially discharged; one because they would otherwise have presented the Duke of York for a Papist; the other, because they presented a Petition to be delivered to the King for the sitting of the Parliament, which they said it was not their business to deliver. Though I cannot but observe, how upon other occasions they did receive Petitions, and delivered them to the King; *and all the difference was, that the Petitions so delivered, were against sittings of Parliaments.* The truth is, I cannot much condemn them for it; for if they were guilty of such Crimes as the Witnesses have this day given you information of, I think they had no reason to further Petitions for the sitting of a Parliament. But, Sir, this business will need a further Information, and therefore I humbly pray it may be referred to a Committee.

Mr. Speaker.

Sir F. W. Sir, I think we are come to the old times again, *When the Judges pretended they had a Rule of Government, as well as a Rule of Law;* and that they have acted accordingly. If they did never read *Magna Charta*, I think they are not fit to be Judges; if they have read *Magna Charta*, and do thus so contrary, they deserve a severe chastisement. To Discharge Grand-Juries of purpose to dis-

disappoint them of making their Presentments; is to deprive the Subject of the greatest benefit and security the Law hath provided for them. *If the Judges instead of acting by Law, shall be acted by their Ambition, and endeavour to get promotions rather by worshipping the rising Sun, than by doing Justice,* this Nation will soon be reduced to a miserable condition. Suppose that after the Discharge of this Grand-Jury, some Person had offered to present some Murder, Treason, or other Capital Crime, for want of the Grand-Jury, there would have been a failure of Justice. As faults committed by Judges are of more dangerous Consequence than others to the Publick; so there do not want Presidents of severer Chastisements for them than for others. I humbly move you first to pass a Vote upon this business of Discharging Grand-Juries, and then to appoint a Committee to examine the Miscarriages of the Judges in *Westminster-Hall*, and to Report the same with all speed to you.

Mr. Speaker,

S. T. Sir, As it hath been observed that this business hath some reference to the Proclamation, so I believe there is something of the Plot in it too. And therefore I think if *this Plot do not go on, it will have the worst luck that ever Plot had*; seeing the Judges, as well as most other persons in publick places, have given it as much assistance as they could. But whereas some have spoken ill of these Judges, I desire to speak well of them in one thing: I am confident they have herein shewed themselves grateful to their Benefactors; for I do believe that some of them were prefer'd to their places of purpose, because they should do what they have done. Laws of themselves are but

but dead Letters: unless you can secure the execution as well of those you have already, as of those you are now making, we shall spend our time to little purpose. Therefore I second the Motion that hath been made for a Vote, to declare the sense of the House as to the Discharging of Grand-juries, and for referring the further Examination to a Committee.

Mr. Speaker,

W. S. Sir, The business of this Debate, is a great instance of our sick and languishing condition. As our Ships, Forts and Castles are for securing us from the danger of our Enemies from abroad, so our Laws from our Enemies at home; and if committed to such persons as will turn their strength upon us, are equally dangerous. Sir, *We all know how the Government of Scotland hath been quite altered since His Majesties Restoration, by some Laws made there; pray let us have a care that ours be not altered by the Corrupt Proceedings of Judges, lest we be reduced to the same weak condition of defending our selves against Popery and Arbitrary Government here, that they are there.* If Judges can thus prevent the penalties of the Law, by discharging Grand-juries before they have made their Presentments, and can make Laws by their Rules of Court, I think the Government may soon be subverted; and therefore that it is high time for this House to speak with those Gentlemen. In former times several Judges have been Impeached, and Hanged too, for less Crimes than these; and the reason was, because they had *broke the Kings Oath as well as their own.* If what hath been said of some of these Judges be fully proved, they shall not want my Vote to inflict on them the same Chastisement.

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The truth is, Sir, I know not how the ill consequences we justly fear from Judges, can be prevented, as long as they are made *durante beneplacito*, and have such dependencies as they have. But this must be a work of time : in order to remedy our present grievances, let us pass a Vote upon this business of Discharging Grand-juries, and that it may be penn'd as the case deserves. If you please, let it be drawn up by a Committee that may withdraw for that purpose ; and let there be also one appointed to Examine the Miscarriage of the Judges.

Mr. Speaker,

H. P. Sir, I would beg leave to observe to you, because I think it may be necessary to be considered by your Committee, what an opinion was given not long since by some of these Judges about Printing ; which was, that Printing of News might be prohibited by Law, and accordingly a Proclamation issued out. I will not take on me to censure the Opinion as illegal, but leave it to your further consideration. But I remember there was a Consultation held by the Judges a little before, and they gave their Opinion, that they knew not of any way to prevent Printing by Law, because the Act for that purpose was expired. Upon which, some Judges were put out, and new ones put in, and then this other Opinion was given. These things are worthy of a serious Examination. For if Treasurers may raise Money by shutting up the Exchequer, borrowing of the Bankers, or Retrenchments, and the Judges make new Laws by an ill Construction, or an ill Execution of the old ones ; I conclude, That Parliaments will soon be found useless, and the Liberty of the people an inconvenience to the Government.

And

And therefore I think, Sir, you have been well Moved to endeavour to pass your censure on some of these Illegal proceedings by a Vote, and to refer the farther consideration to a Committee,

Resolved, That the Discharging of a Grand-Jury by any Judge, before the end of the Term, *Assizes, or Sessions, while matters are under their consideration, and not presented, is arbitrary, Illegal, destructive to publick Justice, a manifest violation of his Oath, and is a means to subvert the Fundamental Liberties of this Kingdom.*

Resolved, That a Committee be appointed to examine the Proceedings of the Judges in Westminster-hall, and Report the same with their Opinion therein to this House.

December 15. 1680.

The House being Summoned by the Black-Rod to the Lords House, His Majesty made a Speech to them, and then they returned to their own House.

His Majesties most Gracious Speech to both Houses of Parliament, on Wednesday the

15th of December, 1680.

My Lords and Gentlemen, I have the honour to receive from you the Opening of this Parliament, I had acquainted you with the Alliance, I had made with Spain and Holland, as the best Measures, that could be taken for the Safety of England, and the Repose of Christendom.

But

But I told you withal, that if our Friendship be
 same unsafe to trust to, it would not be wonder'd at, if
 Our Neighbour should begin to take new Resolutions,
 and perhaps such as might be fatal to Us.

I must now tell you, That Our Allies cannot but see
 how little has been done, since this Meeting, to encourage
 their dependance upon Us. And I find by them, that
 unless We can be so united at home, as to make Our
 Alliance valuable to them, it will not be possible to bin-
 der them from seeking some other Refuge, and making
 such new Friendships, as will not be consistent with Our
 Safety. Consider, that a neglect of this Opportunity is
 never to be repaired.

I did likewise lay the matter plainly before you,
 touching the estate and condition of England. I must
 now tell you again, That if that place be thought worth
 the keeping, you must take such consideration of it, that
 it may be speedily supplied; it being impossible for Me
 to preserve it an Expense so far above My power.

I did promise you the fullest satisfaction your hearts
 could wish, for the Security of the Protestant Religi-
 on, and to concur with you in any Remedies, which
 might consist with preserving the Succession of the Crown
 in its due and legal course of Descent. I do again
 with the same Reservations, renew the same Promises to
 you; and I do again give you this Assurance.

And being thus ready on My part, to do all that can
 reasonably be expected from Me, I should be glad to
 know, from you, as soon as may be, how far I shall be
 assisted by you, and what it is you desire from Me. As
 shall your Honour think good to direct me.

My Speaker, I have thus addressed you, and
 I do now leave you to your own consideration.
 Wth G^d Sir, I would willingly move you, to ap-
 point a day to consider of His Majesties Speech
 now made to both Houses, because it is according
 to

to the usual Methods of Parliament ; and I should be sorry to see this House shew less respect to His Majesties Speeches, than former have done. But upon hearing it now Read, I do conclude, that it will be to little purpose to appoint a day for the consideration of it, because every Paragraph of it tends to Money, unless that about securing Religion, if it may be so understood, notwithstanding the Reservation in it about the Succession. We have already endeavour'd by several Addresses we have made, to assure His Majesty of our Loyalty and readiness to promote what ever may tend to his Happiness and Greatness ; and that when we are secur'd of our Religion, we will readily give Money : we can do no more than confirm the same, after we have consider'd this Speech. We having not yet had any encouragement to give Money, we have made several Addresses for relief of some Grievances the people lie under, but hath anyone of them been granted ? We have finish'd one Bill against Popery, but what success hath it had elsewhere ? thrown out as hastily as if it had carried a fire-ball with it. And yet now it seems there is nothing to be done but giving of Money ; as if all our complaints were granted, the Protestant Religion secur'd, and nothing wanting to satisfy the people. Sir, I think the complaints of the Nation, as to the danger of Popery, are so great, and so reasonably ground'd, as that it cannot be expected they should longer be satisfied with words or pretences, because we have met with many disappointments, especially after giving of Money. And therefore considering the desperate case we are in, it will not be convenient we should go that way now, but keep our Money until we have got

Law's.

Laws. Which, I think, is the best service we can do those who sent us here, as the case stands. For these reasons, I think, we had best adjourn the Considerations of this Speech to some other time.

Mr. Speaker.

S. T. Sir, we have been long jealous that there are people that endeavour to create a Misunderstanding between His Majesty and this House; which it is our business to prevent. If there be a difference between two men, and the one will not hear what the other offers, but be utterly against all Proposals, it would be hard to reconcile two such persons, Treaties and Debates being a proper way to come to a fair understanding. It is true, most of the Paragraphs of his Majesties speech are Memento's about Money; but in the Conclusion he is pleased to tell you, That he desires to know, how far he shall be assisted by us, and what it is that we desire from him. Sir, I think this is a fair step towards coming to a right understanding; for I am apt to believe, that if the King knew how reasonable the things are that we desire of him, and how ready we are to give him all the assistance he can desire for the support of the Government, that we should not long continue under these misunderstandings; and therefore I humbly move you to appoint a day to consider his Majesties Speech.

Resolved, That this House will on Saturday-morning next take into consideration his Majesties gracious Speech this day made to both Houses of Parliament:

The House then resolved into a Grand Committee how to oppose the Kingdom against Popery and Arbitrary Government. Mr. Powle in the Chair.

Ld. C. Sir, when I consider the Immunities and Advantages we enjoy by the excellent compolure of our Government both in Church and State, how the King, as Sovereign, enjoys all the Prerogative that can be necessary to make him either great or happy, and the People all the Liberty and Priviledge that can be pretended for their encouragement to be industrious, and for securing to themselves and Posterities the enjoyment of what they get by their industry. How the Doctrine of the Church is void of Idolatrous superstitious Opinions, and the Government of Tyranny or absolute Dominion; I cannot but admire that there should be any body amongst our selves that should aim at any alteration, and be the occasion of this days Debate. But, Sir, it is too evident that such there are, and that they have made a great advance to effect their design, by many contrivances which they have pursued for a long course of years, according to the Results an I Consultations held by Jesuits for that purpose: But above all, by converting to their Religion *James Duke of York*, the presumptive Heir of the Crown, and by engaging him to espouse their interest with that zeal and fervency which usually attends new Converts; especially when so great a glory is proposed as the rooting out of a pestilent Heresse out of three Nations, and the saving of so many Souls as would depend thereon. The sad effect of this Conversion we have felt for many years, it having had the same operations in our Body Politick, as some sorts of

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lingring poison hath in bodies Natural; made us sick and consumptive, by infecting and corrupting all the food & physick which hath been applied in order to reduce us to Poverty & Slavery, worse than Death it self. From this fatal act the declination of the Grandeur of this Monarchy may be dated, and to the Consequences thereof its absolute ruine (if not timely prevented) will be hereafter attributed. This being our case, I could not but admire to see this House so long coming to consider this weighty point; in so much, that I began to persuade my self, that either our dangers were not so great as our discourses upon some other occasions had represented them, or that we were not in good earnest to endeavour any redress. It is true, when we consider what ill fortune we have had with our Bill lately sent up to the House of Lords, in having it thrown out in such a heat without so much as a Conference, (though whenever they shall consider of it in cool blood, they will find there can be no other way to secure the Protestant Religion) we may with some reason be discouraged. But I hope, Sir, that seeing our Country have thought us worthy to be their Representatives, we shall not be so easily daunted in what so nearly concerns them, but be as indefatigable in finding out ways for our preservation, as our Enemies are to find out means for our destruction; hoping we shall not meet always so bad success in the House of Lords: For though the too much kindness of some men who pretended to be for the Bill, but underhand made a party against it, did this little operate as fatally as Ennemy disguised in Friendship seems to do, yet I hope that in another occasion we may have better success; not doubt-

ing but a great many Lords, when they are persuaded that they shall not be able to find out any other way (as I hear they begin to despair they shall) to secure the Protestant Religion, that they will joyn with us in the same, or some other Bill to the same purpose: Especially my good Lords the Bishops, who cannot be presumed to have made peace with *Rome*, but to be ready to die for the Protestant Religion, and therefore doubtless will not long stick at joyning in a Bill to save it. But seeing that according to the course of Parliaments we are not like to bring this to a Tryal for a long time, I am of opinion we had best try something else; and although I know not what other Act can be made to serve instead of that, but will either prove too weak or too strong; yet seeing we are put upon it, we must try, that so we may not be represented as stubborn. And therefore humbly move you that a Bill may be brought in for the Association of all his Majesty's Protestant Subjects.

R. M. Sir, great things are expected from this days Debate, and we could not well have entered into it sooner; it now comes more seasonable than it would have done before, because of the opportunities we have had to feel the pulse of Affairs, since the beginning of the Session, and the time we have spent in altering the right of Petitioning, by which the essence of Parliaments, and the foundation of the Peoples Liberties were struck at. And the Tryal of my Lord *Stafford*, and the Dishonouring-Bill could not possibly have been avoided. And as our labour hath not been lost in all, so I hope that at last we shall have some benefit of that spent about the Succession-Bill. For as it was said

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at the passing of the Bill, that there were a loyal party that would never acquiesce in it; so I do believe there is a true Protestant party that will never acquiesce in any thing less than what may be sufficient for the security of their Religion, which I am apt to believe will end in that Bill. But in the mean time, that we may shew that we are not humorists, let us try what strength we can muster up to oppose these great Enemies by some other Laws; as when a House is on fire we make use of Buckets and Tubs for casting of Water, until the great Engines can be got. But I would move you to be cautious what you do, for I am afraid that the design of putting you upon finding out Expedients is not in order to have any thing done that may be effectually against Popery, but in order to have you offer at something that may purchase a disrepute on the House, and give your Enemies an advantage to pursue their designs of breaking us, by alledging that you aim at Laws that will overturn the *Government*. For my part, I am fully persuaded that this is the design of those that have put the *King* so often to declare against altering the *Succession*, and to recommend other ways; and that offer at what you will, if it be any thing that is like to prove strong enough to secure us against Popery, that you will see the House put off before it comes to any perfection, and that in time it will be made use of to arraign the proceedings of Parliament, and to periwade the people that this House did attempt to alter the Government by such and such Bills, and so by degrees possess the people that *Parliaments* are either dangerous, or inconsistent with the *Government*, that if possible they may be well content to be with-

without them. Sir, I am afraid that the Popish party are more serious in this design than we are aware of; and that next to the great Endeavors they have used for many years to keep up our Divisions in points of Religion, the next great Artifice which they depend on, is the insinuating into the people the dissikes of *Parliaments*: for they well know that *Poper*y can never be established in this Nation as long as *Parliaments* are permitted to sit and act. Therefore, though I know it is below a House of *Commons* to mind every little discourse, yet I think if we conclude that this powerful party amongst their many designs have this for one, that we ought to counterminne it as much as we can. We cannot well comprehend what a Bill of Association will be before it be drawn up, nor what difficulties may be found in the contriving of it; and therefore I think no great Debate will be necessary about it before such a Bill be brought in. And I believe it will be found more likely to be serviceable in case the *Papists* be banished; and therefore I conceive a Bill for *Banishment of all the Considerable Papists out of England* may be very necessary. And if at the same time that we endeavour to secure our selves against *Poper*y, we do not also do something to prevent *Arbitrary Power*, it will be to little purpose; for the one will be sure to have a hand to bring in the other, and I think nothing can prevent that, or rather both, better than frequent *Parliaments*. And therefore I humbly move you, that *that a Bill for securing frequent Parliaments* may be taken into your Consideration.

Sir G. H. Sir, I think you are well advised that the way to secure our selves effectually against Po-

perty, is to secure our selves also against *Arbitrary Government*, and that the having of frequent *Parliaments*, is the best way to secure both; and therefore, Sir, I think, you may do well to move the House, that a Committee be appointed to inspect what old Laws there are *for enforcing the sitting of frequent Parliaments*, that if they should be found deficient, some new Laws may be made for that purpose. I do agree that a Bill for *Banishing out of England* the most considerable *Papists* may do well; but I hope, Sir, that if you banish the *Men*, you will banish some *Women* too; for I do believe that some of that Sex have been great Instruments in bringing about our ruin: and if in time you would consider how to prevent the *Royal Families* marrying *Papish Women*, it would be of great security for hereafter. For I am of opinion that the late *Queen-Mother's* Zeal for her Religion, was not only a great occasion (amongst many others) of the Miseries that befall us in 41, but the great Cause of all our Miseries now, *by perverting the Duke from his Religion*, as is reported, and may reasonably be believed, if we conclude that she had that motherly care for the salvation of her Children as other Mothers usually have; for according to her Opinion, it was not to be obtained out of the pale of that Church: And no man can doubt but that the Protestant Interest hath been much Prejudiced by his *Majesties* marrying a *Princess of that Religion*: For we have plainly seen since the discovery of the Plot, how some of the most material *Jesuits* and *Papish* Instruments have sheltered themselves under her *Royal Protection*, and how they have helped to carry on the Plot, by being so impudent as to pretend they had her

patronage, and by abusing her Authority; but more especially by the *Duke's marrying the Princess of Modena*, because of her near relation to the *Popes and Cardinals*. All which was plainly foreseen by that *Parliament* which met a little before that marriage, in 1673. and therefore they made an *Address* to his *Majesty*, representing the laid ill Consequences, desiring him not to permit it, because it would tend to the destruction of the *Protestant Religion*. But their Endeavours were defeated by that party, as we may guess, seeing we find so much use of her Name in *Colemans Letters*; for well might they who have over-ruled in so many great Affairs as hath been instanced in this House, have an influence also in this, that so that party might not want so useful an Instrument in so great a Station: and so the *Parliaments Address* miscarried; but that they had either a good Judgement, or prophetick Spirit, I hope will never miscarry, but remain upon-Record. And unless you do believe that these *Ladies* are less compassionate than others usually are, how can it be otherwise, their Principles considered? But, Sir, I will not trouble you farther about it, but suppose it may be worth your consideration in due time. In the interim, I agree for the *Bill of Banishment and Association too*.

W. H. Sir, it is not to be doubted but that *Poper* and *Arbitrary Government* are so near of Kin as cannot be separated, and therefore if we destroy the one, we need not fear the destruction of the other. Before our late miserable *Wars*, *Poper* was more in *Masquerade*, and *Arbitrary Power*, the *Loans*, *Monopolies* & *Ship-money*, more invisible; now *Poper* is more visible, excepting in the business

nels of the Exchequer, which amounting to above *one Million* of money, we may not admire we have nor heard of more great things of that kind, since especially, being we know how averse the King is hearken to such advice; but our fears of Popery are the stronger because of the *Popish Succession*, and therefore I cannot but commend the policy of those who are tender in using *Arbitrary proceedings* at this time, lest the Fears and Jealousies that might arise from both together should prove intolerable.

I must confess, Sir, I am at a great loss what to offer to your consideration in this matter, for our danger is not only from the strength of the Popish party, but from the weakness of the Protestants, by reason of the animosities which they sow amongst us, not only in points of Religion, but of Interest too. For of late they have not been content with carrying on the design of dividing the Church-men and Fanaticks, but by arraigning the *last Parliament as omnipotent and dangerous for going about to dismember the Duke*. They endeavour to divide the people in their opinions as to Parliaments, and to render them incompatible with the Government, that so if possible they may keep the Protestant Interest divided, and work them to destroy themselves, by engaging party against party, *in hopes at last to have but one party to deal with, and to have an opportunity of gaining the weak to their side by assurances of Liberty of Conscience, or otherwise*, which must certainly be the consequence of such a contest. And although I am very unwilling to detract from the merits of our Church-men, for whom I have a great veneration, yet I cannot but observe how that ever

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since the Trial of Wakeman was over, but more about the time of the Presbyterian-plot, how they preached up (especially in publick Assemblies) the danger of Ranticks to be more than of Papists, and that to disinherit the Duke was against the Law of God. Which said Opinions, if they should be imbibed by the people, what will your Association-bill signify, or any other Law you can make against Popery? Sir, I do not mention these things to you without a great deal of regret; for I am well known to be a true friend of the Church, and have (when I was thought worthy to be in Commision) express'd my self a severe Enemy to Fanaticism. But however, I cannot but observe this strange contradiction of pretending to keep out Popery, and yet at the same time to endeavour to divide the Protestant Interest, and to reserve a right to make a Papist King. I must confess I am more distracted from the ill consequences I fear from such contrivances as these, than from the strength of the Papists themselves. They will certainly go on with their Interest, as long as they are secure of such Auxiliaries. These things may be considered in the drawing of your Bill, that so the remedy you propose may be proportionable to your Disease. For an Act of Association may be several ways evaded by such opinions as these, if they should grow amongst the people, and it will be an irreparable blow to the Protestant Interest to accept of such an Expedient, if it should prove ineffectual. And therefore it ought to be so drawn, as may provide for all the contrivances of that party: For, Sir, I cannot imagine that ever Popery will attempt to come into this Nation bare-faced, but do expect that the design will always be carried on as

buterto under some disguise either by a toleration in favour of tender Consciences, or in the name of Churchmen, or a Loyal party, for the defence of the Church or Government, which some Presbyterian-plat would much conduce, and be an excellent pretence for raising of an Army, and apprehending or disarming of such persons as are most likely to oppose that Interest. I must confess, Sir, I have not very well digested what I have said to you on this Subject; but unless you can change the Interest at Court, and remove those Counsellors that are so much for the Duke, I think you may justly fear all these Stratagems, and that it will be impossible to contrive any Association-Bill that can provide against them. And therefore, that we may not spend our time in vain, I would humbly move you, Sir, to go on with the Bill of Banishment, which is most likely to do you some service. At least, by it we shall see, whether any thing will be granted against Papists or no: For this purpose it will be necessary, that the House be moved, that the Knights, Citizens, and Burgesses, be commanded to bring in a List of all the most considerable Papists in England, in order to banish the most notorious.

J. B. Sir, I retain a good opinion of an Association-bill, notwithstanding what hath been said, as to the weakness it may receive from our unhappy Divisions in points of Religion and Interest, too much promoted by some of our Clergy. For, Sir, when I consider how the Laudian principles, as to raising of Money without Parliaments in the late times, infected most of our Clergy, so as that they not only preached up the Kings absolute Authority over mens properties, but branded with the stile of Rebels, and condemned to Hell those that offered to argue a-
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gangs it : I do conclude, that it is usual for one or two Bishops, to give measures or directions to the rest of the Bishops, and they to the Clergy of their several Diocesses : And that therefore the Clergy derive the Politics generally from one or two Bishops in some great station. Yet, Sir, when I remember how after some little time many of the Clergy fell off, and would not follow such instructions ; and how the people soon excused themselves from following their advice in such Politics, and would not freely pay illegal Taxes, notwithstanding all their endeavours. I am apt to think, Sir, that as the people were not long then misled, so as to submit to lose their Property, so they will not now, to any thing that shall tend to the losing of their Religion and Property both. They will soon discover what is their interest, and how true interest will not lie : I have often told you within these walls, they will soon apprehend that Popery will bring in Slavery ; and reduce them not only to an Idolatrous Superstitious Religion, but to wear Woddenshoes like the *French*, and to eat herbs like the *Spaniards*, because they will soon know that they shall not be long Masters of any thing they have : And however they may be persuaded for a while, I am confident they will at last consult how to save their *Bacon*. They will discern that the Clergy may be good *Divines*, but not so good *Politicians* ; and that there may be some difference in point of Interest between them and the Clergy, because Clergy-men may be in a possibility of being advanced by Popery, if they submit ; but the *Laiety* under a probability of losing all notwithstanding all submissions. Sir, I do not trouble you with this Discourse out of a fear that our Clergy will not shew themselves good

good Protestants, for I have that Veneration for them, and Opinion of them, as to believe that many of the Bishops and Clergy too, would as soon die for the Protestant Religion as any persons in the Nation. But I am jealous that there is some over-awing power got in amongst them, something answerable to that of a Popish Successor in the State; by whose means those Bills were so easily past in the late long Parliament, under a pretence that they were for the preservation of the Protestant Religion, which the Commons then found, and any person that will now peruse them may find, would infallibly have brought in Popery. And, how since the Plot, the danger of Fanaticks is cried up more than that of the Papists; and how tender they are in the point of a Popish Successor, or joyning in any thing is against him. But though these things make me jealous there is some body that misleads them now in matters relating to Popery, as formerly in things relating to Property, yet I am of opinion that they will ere long see, that to stand up for the Interest of a Popish Successor, to have a Popish King, to weaken the Protestant Interest, and speak ill of Parliaments, is not the right way to preserve the Protestant Religion; but a plain contradiction, and an *Invention of Jesuits*. And therefore, Sir, I am for going on with the Association Bill; for I will never doubt, that the true Interest of the Nation, in so great a concern as this, will long be baffled by such Projectors. And therefore it is my desire, that the House may be moved to appoint a Committee to draw up a Bill for that purpose.

Sir W. H. Sir, I think you have been well moved, as well for the Association Bill as the Bani-
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thing Bill. By the one, you will send your Enemies out of the Country ; by the other, be in a good Condition to keep them out, which may go a great way to secure us.

Sir F. R. Sir J. H. and Mr. L. G. for the Banning Bill.

Sir W. C. Sir, I am not against any of these Bills, because they may be all convenient for the present occasion : but if any man think that these Bills will do without the Succession Bill, I believe they will find themselves mistaken. For these Bills will signify nothing, unless you can remove your Popish Successor, and your Popish Interest. These Bills will not reach your Papists in *Majourade*, who will certainly continue as long as there is a Popish Successor, and make your Banning Bill, and Association Bill too, as ineffectual as White paper. Let such as I could name to you, have the command of the Sea ports (as I suppose they will, without my naming them) and in the Lieutenantancy and Commission of the Peace, and when the present heat is over, let the Papists come back when they will, they will have no cause to doubt having a kind Reception. For you must not expect to have plain rustick Country Gentlemen in such Commands, but well bred Courtiers, and some good *ecclesiastical* Gentlemen that will soon be persuaded there is no danger in Popery ; and then of what use will your Banning or Association Bill be ? As long as the Duke hath so many Friends at Court, (between whose Interest and Popery I cannot hear there is any distinction) I think no Laws that we can make against Popery will do us any good, because all the Laws we have already have done us none. For the same arts and power that hath hitherto defeated

defeated all your other Laws, will alio defeat what you are now about. And therefore, Sir, I am of opinion we are not now acting like the true *Physicians* of the Nation, but like *Mountebanks*. For the most we shall be able to do this way, is to patch and plaister up our Sores, and have them hereafter break out incurable upon us. But if you are resolved to go on with these Bills that have been proposed, I will not offer to oppose the sense of the Committee, but would move you, (that we may not forget, or lose in the Crowd, that which at last, I believe, must be pursued, if ever you will do any thing for your Religion) that in the first place you pass a Vote, *That it is the Opinion of this Committee, that as long as the Papists have any hopes of the Duke of York's succeeding the King, that the King's person, the Protestant Religion, and the Lives and Liberties of the people are in apparent danger.*

S. T. Sir, I have read that a great Minister of State of *Spain*, gave this short advice to a Friend of his that was coming Ambassador into *England*; that he should not always aim at the best. I think it may be convenient for us to follow that advice; for if we should not have something for our security, before we get the best, I am afraid it may happen to us, as it did to a man whose House was beset with Thieves, he was so long arming his Servants, and appointing them their distinct quarters, that the Thieves broke in, and caught them all unprovided. I pray God it may not be our case; though I am very sensible that none of these Bills can effectually do our business, for nothing can secure us against this party but being free of their Principles as well as of their Persons; which I conclude

clude will always remain in some persons amongst us, notwithstanding your banishing of Papists, as long as there is a Popish Successor. For I remember what a great man of *Sweden* told me, that all Laws they could make, had never any effect against them, *until they not only banished them out of their Country, but secured the Government in the hand of Princes of their own Religion*; And I am afraid, that nothing less than the same way will ever do our business here. For it is not so much the number of the Papists, as their Principles, and the danger of their getting the Government into their hands, which we know they have been long aiming at, that may justly be feared, in which I am persuaded they will be so restless, as that we shall never be secure against them, unless we can banish their Principles from Court, as well as the People out the Country.

Sir F. W: Sir, What my good Friend that spoke last hath said, that we should get something, and not lose all by aiming so earnestly at the best, is very well, if we were like to get any thing instead of it, that shall have the appearance of being serviceable in this case: But I have seen old Parliament-men mistaken some times, and I am afraid that he will sooner see this Parliament dissolved, than any thing granted that shall be material against Popery. And that the mentioning of these Bills shall afterwards arise in Judgment against you; however, I think we must adventure. What this Association Bill may be, I cannot tell until it be drawn; but I see no opposition made to any of those Bills that have been proposed; and I believe there is much business yet behind for this day, and that you will do well to husband your time, and

and but this business out of your hands by putting the questions.

Sir R. T. Sir, you have been very well moved for the bringing in of such Bills as may tend as much to the security of the Protestant Religion as any that can be offered. That of *Banishment* will certainly go a great way to destroy, not only their Power, but their Interest and Principles too, and be a great disheartning to their party abroad. That Interest will not then have so many Engines to work with here, as now they have. And the *Bill of Association* will be necessary, that we may have a Law to defend our selves. The Association made in *Queen Elizabeth's time*, will be a good President to draw it up by. And seeing there is no Opposition, I move you to put the Question.

Resolved, *That it is the opinion of this Committee, that one means to suppress Popery, is, that the House be moved that a Bill be brought in immediately, to banish all the considerable Papists out of the Kingdomes.*

R. M Sir, by offering at the Exclusion Bill, we may conclude we have offended the Duke of York, by this Bill for Banishment, all the rest of the considerable Papists in England. As we have made many Enemies, so it will be convenient that we should endeavour to get some Law to defend our selves against their implacable designs. For which a Bill for an Association of all His Majesties Protestant Subjects may do well, and therefore I pray that we may Move the House to have it brought in.

W. G. Sir, as we are sick of complicated diseases,
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though all have their original from one cause, seeing we cannot be permitted to cure that cause, we must think of many Remedies to cure the many Evils that sprout from it. The Banishing of the Papists alone will do it. And I am not willing to pass any judgment on the *Association Bill* before I see it. But, Sir, what fruit can you expect from your Laws, unless you can secure good Judges in *Westminster-hall*, and good Men in Commission in all other places. Is there at this time a Judge, a Deputy Lieutenant, or a Justice of Peace in Commission, that you can expect shall act against the Duke of York. Or if any such be in, are they for more than a colour? Are they not over-powered by such as are for the Dukes Interest? If this do not make all your Laws invalid, by not executing them; is there not an Army of about Ten thousand men under the name of Guards, and may not more be raised, and what then will your Laws signify. Have we not already had some experience of this, when the Toleration came out in 1672. when there was that Army at *Black-heath*, and *Clifford* had the management of the great affairs of State? If the King had not then hearkned to the Advice of his Parliament, what would all the Laws that were then in force against Papists have signified. And may you not see the same again, if you do not take some care to prevent it. What great difference between *Clifford* and some of our present great Ministers, only that he had that weakness to declare himself to be a Papist, and these the discretion to keep the knowledge of their Religion to themselves. But woe be they manage things as much in favour of Popery, as ever *Clifford* did. Did not that Toleration, that Army, and that Minister of state, repeal all your Laws as effectually,

ally, as if they had never been made ? When I consider how the Tripple-League was broke, after we had made *Laws* for the keeping it, by giving near Three Millions; how the Peace was made up at Nimwegen, after we had made an *Act* for an actual War with France, and given above a Million for entering into it. I will never believe that any Law will be observed, make what you will, unless there be those about the King that may be for the keeping of it; otherwise you shall have such Judges, Justices, Deputy-Lieutenants, and other Commissionated Officers, as will repeal your Laws at pleasure. And therefore I could wish you would consider well, how you possess those that sent you here, with an opinion that they may depend upon such Laws as these. And at the same time, Sir, that you are consulting the destruction of the *Papists*, I think, you may do well to endeavour the preservation of the *Protestants*. Is this a time for the Church-men and Dissenters to quarrel ? It is like two men riding upon a Road, a High-way-man coming to Rob them, instead of uniting to defend themselves, they quarrel and disarm one the other, and were so both Robbed. I pray God this do not prove at last our case. For as that project of the *Papists* hath since *Wakemaans Tryal*, had strange success in dividing us, so no doubt but will at last come to Disarming us too; and how that will facilitate their conquest, may be easily calculated ? Is this a time to weaken the Protestant Interest, by tearing us in pieces by the execution of acts made against *Papists* ? That man that can believe, that that is the way to preserve the Protestant Religion, or Protestant Church, is fit to believe that St. Denis walkt many miles with his head under his arm, or any other Popish Miracle

whatsoever. And therefore I think you will do well to hasten the Bill for *Uniting of the Protestant Dissenters*, that we may bring into the Church as many of them as is possible, and not longer be so intimated to gratifie the Papists in that particular, by doing their business in destroying one another; but prevent them if possible by Union, *which will tend more to prevent Popery, than all the Bills that have been proposed.*

P. F. Sir, I have read in Scripture, *What King going to make War against another, sitteth not down first, and consulteth whether he be able with ten thousand to meet him that cometh against him with twenty.* I take the denial of the Bill of Exclusion, to be a plain demonstration, that the Popish party should not be deprived of a right to govern us; and it is not to be doubted, that having that right, they will be sure to make use of all the power they can back it with. That we may be the better able to judge, whether we can fortifie our selves sufficiently against such a right, and the power that will naturally follow it. I pray, Sir, let us follow our Saviours advice, and consult, *whether with ten thousand we can meet twenty thousand.*

When I consider how the Tripple-League was broke, and how all Alliances and I ranfactions relating to Peace & War have been since managed in favour of the *French Interest*, contrary to the true interest of *England*, and the pressing importunities of Foreign Nations, as well as our own, I think we cannot but conclude, that the *Dukes Interest*, the *French Interest*, and *Popish Interest* is all one, And that the Duke or Popish Interest, have some great dependance on the *French King*, for his assistance in the settling of Popery here. And no man can doubt

doubt this, but he that will not believe *Coleman's* Letters, or that there *was* a *passage* made at Nimeguen, *in order to put him in the better condition*. If the Jesuits do manage all the affairs of Europe, as is said, it may be justly feared, that the *French* King will improve this agreement so, as to get *Flanders*, if not *Holland* too, before he perform his promise of giving them the expected assistance, which being it will conduce to the destroying of the Protestants abroad, as well as here, we may justly fear the *Jesuits* will never obstruct.

Besides, the dependance which the Papists may have of assistance from this mighty Monarch; in *Ireland* they are five to one for the Protestants, and amount to many hundred thousands, full of bloody revenge derived from their Ancestors, wanting nothing but Arms (which they may have from *France* in a night) to be enabled to Massacre all the Protestants in *Ireland*, and to be ready to be transported hither. How the Plot hath been carried on there in order to it; how endeavours have been there used to stifle and Counterplot it; who Commands all the English Coast opposite to *Ireland*, we know; and how our Forts and Castles are provided, the Examination of the Governour of *Cheapsow-Castle* may inform you.

And that there may not want a *strength to compel us on every side*, is not the Government of *Scotland* quite altered, by some Acts made within these few years? is it not become very near *Arbitrary*, Parliaments in a manner laid aside, and the power invested in a Privy-Council? And is there not a standing Army of Twenty two thousand men, settled by Act of Parliament, with a Declaration, that they shall be ready to come into *England* upon any

occasion. And is not the *Duke* now there, managing the Government of that Kingdom, and Army too, by putting in his own Creatures into the Council and into the Command of the Army, and using all other ways imaginable to improve his interest there.

And may we not conclude, that in *England* there may be one hundred thousand Papists fighting men, and that *Portsmouth*, *Plimouth*, *Sheerness*, *Tilbury-Fort*, and *Hmfl*, and all other places of importance, shall, when that Interest shall think it convenient, be in the hands of persons they may confide in, as well as the command of the Militia and Fleet.

And what now, Sir, can any man say is wanting to enable this Party to make a great contest with us, but a Popish King to head them? And doth any thing stand in their way for that, but his Majesties Life? And is it not strange, that though we see things never so plain, that there is no remedy for poor Protestants. Can it be imagined, that if this party should once have a King on their side, endowed with a Valorous Spirit, and vowed revenge, spurred on with a fiery zeal, to get not only Three Crowns on Earth, but the Crown of Glory in Heaven, by rooting out a pestilent Hereſie out of three Nations; that they will neglect so great an opportunity for the establishing of Popery here? And will not the Divisions they carry on amongst us, as to Church-men and Fanaticks, Plot or no Plot, be very useful to them, but especially their arraignments of Parliaments, and all that *speake against Popery as Forty-one-men*, and Enemies to the Government, occasion a great weakness on our side? I think, Sir, all this put together, makes a great strength

strength for that party, enough to bring us into misery, whatever the issue may be. I would now, Sir, give you some account how the Protestants may be able in such a case to defend themselves; but, I protest, Sir, I know not what defence they will be able to make legally. It is true, Sir, as long as our good King lives, we may live in quiet; but things being thus, are not the Papists under great temptations to go on with their old damnable design, or set up a new one for the destruction of the King. And if it should so happen, either by their wicked counsels, or naturally, I think there is no way left us to oppose this party, *but by a Rebellion, and therefore I think we may conclude, that our Lives, Liberties, and Religion, are to determine with the King's life.*

I confess, Sir, this is a melancholy Discourse, but I am affraid too true; and that the more you consider of it, the more reason you will have to believe, that there is such a Net spread to catch poor Protestants, as cannot fail to do it effectually, when ever the Jesuits shall be pleased to draw it. And our condition looks the more dismal, because though King, Lords, and Commons have so often declared that there hath been a damnable, execrable, devilish, hellish, abominable Plot carried on by the Papists, yet that all remedies against the like for the future must be denied us; I mean such as can signifie any thing, and we must now again be exposed, as we were before the Plot broke out, to all their barbarities, having only weakened that party by executing about twenty Old men; but strengthened them much more by having discouraged all Witnesses from ever revealing more of their Plots, and by the discoveries they have made

of the strength of their party, in the stifling of this Plot. And yet all will not open the eyes of some Protestants, that so if possible we might be so happy as to lay our divisions aside and joyn against the common Enemy, without which we must certainly be ruin'd.

And if this be our case, and there be nothing wanting but a *Popish King* to compleat our misery, and the art of man cannot find out any way to secure us against a *Popish King* without the *Exclusion-Bill*; is it not *Strange* it should be rejected in the House of Lords? I cannot believe that the *Fathers* of the Church should joyn in that which must infallibly give opportunity for the tearing out of the Bowels of their Mother, and destroying her for ever. If so, well may we lie down and cry, *We have no body to help us, but only thee O God.*

Sir, I have troubled you too long, but I hope what I have said, may be of some use to you in resolving about these Bills that are propos'd, though I think they will all come short of our case. Seeing you have voted a Bill for the *Banishing* of the Papists, I think you may do well to try what a Bill of *Association* may amount to: But I agree with the opinion of those worthy Members that have told you, that these things are put upon you, that you may give occasion to those that *wish ill to Parliaments*, to argue thereby for your *Dissolution*; and afterwards to persuade the People that you *went about to dissolve the foundation of the Government*. And therefore I do not expect any good effect of these Bills.

Sir F. R. Sir, by the serious discourse which that worthy Member hath made of the sadnesse and

and insecurity of our condition we may plainly see, how by the interest of the *Duke of York*, there is a great power combined against us, and that our condition is irrecoverable, if he should come to be King. And therefore, Sir, I desire you would put the question, upon a motion that was made a little while since, That it is the opinion of this Committee, that as long as the Papists have any hopes of the Duke's succeeding to the Government of this Nation, that the King's Person, nor the Protestant Religion, nor the Government of this Nation cannot be secure.

Resolved, *That it is the opinion of this Committee, that as long as the Papists have any hopes of the Duke of York's succeeding the King in the Kingdoms of England and Ireland, and Dominions therunto belonging, the King's Person, the Protestant Religion, and the Lives, Liberties, and Properties of all his Majesties Protestant Subjects, are in apparent danger of being destroyed.*

Sir G. G. Sir, I am of opinion the Popish Plot goeth on as much as ever, and the Papists are so proud of it, as they cannot forbear bragging of their hopes to see better days speedily. I think, Sir, seeing we are not like for one while to have the *Exclusion-bill*, we shall appear neglectful of our duty, if we do not try what security can be contrived by an *Association-bill*. And therefore I humbly pray that the House may be moved to appoint a Committee to draw up and bring in a Bill for *Associating* all his Majesties Protestant Subjects.

Sir H. C. Sir, the reason why we are now in this

this debate, is because a Negative is past on our Bill for excluding the *Duke of York*. It is strange, seeing the danger of the Protestant Religion is so great, (if there be any intent to save it) that the only Bill which could serve for that end should be thought too much. I am of opinion, that no other Bills can do us any service at all ; for it will be pretended they are all void, because made against the Right and Prerogative of your lawful King, without this Exclusion-Bill. Yet seeing his Majesty hath so often in his Speeches recommended the security of the Protestant Religion by other ways, I think it is our duty to try what other Laws can be made, though it be only to give the King and the world satisfaction, and to enable us the better to judge whether such Speeches proceed from his Majesties goodness, or from evil Council. I must confess, Sir, I am afraid, seeing the *Duke of York's* interest is now as great at Court as ever, and that there are so many of the Privy-Councillors for him, as well as most others in places of Trust and Command, that they that advise the King to put in that limitation in all His Speeches, do know that without that Law there can be none made that can prejudice the *Dukes* Interest, and so consequently not save the Protestant Religion, and therefore they advise it. For how can we reasonably presume otherwise, seeing his Interest is so fixt as it is, and the *Wheel* within the *Wheel* continues, which hath been so often complained of. When I ponderate on the good things his Majesty always doth, when he is pleased to exclude the corrupt Politicks, and advice of others, I cannot but lament myself our great Misfortune in having a Popish Successor, that should be able to create such

an Interest, as to hinder us from the good effect thereof. His Majesty did once declare, how sensible he was of the inconvenience of being *advised by private Cabals, and seemed resolved to dismiss them, and from that time forward to advise with his Privy-Council, and in cases extraordinary with the great Council the Parliament.* How he came to vary from that resolution I do not know; but I am afraid we shall not see any alteration in favour of the *Protestant* interest, until we see some change in that particular. For though the Duke's friends may do very well to preserve the *Duke's interest, which upon all accounts is Popery*, yet, I think, they are very inconsistent with the preservation of the *Protestant* Interest: And therefore until some alteration in Council, as Parliaments have laboured in vain against Popery these two years, so I am afraid we shall now. However, Sir, I am not against trying what strength you can make of an *Association-bill*; but I am afraid, that without the *Exclusion-bill*, you will find your work endless; and that one Bill will occasion another, and all prove to little purpose without it, and that you will but give your Enemies a *handle* to represent you amiss, and get nothing.

W. Sir, the many discourses you have heard this day touching the strength of the Popish Interest at home, and how combined with foreign power, doth not so much startle me, as to see, that all the strength upon which the *Protestant* party must depend for security, is put into the hands of persons which are for the *Duke's interest, which we have reason to understand to be the same with Popery*; not a person being employed in any place of Command or Trust, that ever declared against that interest.

If

If I be mistaken in what I say, I desire to be corrected; I speak according to the best information I could have, and I believe all here know, what an *exact scrutiny* there hath been often made in all Countries and Corporations, for the finding out of men that way *inclined*, or otherways so *qualified*, as are not fit to make any *opposition to the designs carried on by the Popish party*. And if by chance any is put in, not fettered either by opinion or interest to that party, upon the first appearance he is presently discharged, as if he were a Traitor to his Country. And now after a long interval of Parliaments, and more and more discoveries of the reality and danger of the Popish Plot, not only here, but in *Ireland*, and of the many contrivances of that party to stifle new Evidence and to corrupt and discourage the old, of the certain ruine of the Protestant Religion from a *Popish Successour* and *Popish King*, what remedies are we like to obtain this Session? I am afraid very few or none: for I must confess, I am still of opinion, there can be none without the *Exclusion-Bill*, which the Lords have thrown out without so much as a *Conference*, and therefore I am afraid, that what the Witnesses have said, they were told by several Jesuits is true; *That Popery was so clenched and recruited, that it did not lie in the power of God nor man to prevent the settling of it in this Nation*. And if we consider what an interest that Party hath now at present, and how things are prepared to afford them a greater assistance hereafter; how a *Popish King*, as well as our *Divisions* and *Animosities* will contribute to it, though I hope God will make them Lyars, yet I conclude, they have a great deal of reason to be very confident,

fidest. And I see not how we can help our selves, seeing there are so many *Ministers* of State about the *King*, who are as a Partition-wall between him and his People. I find in *Cooke's Reports*, that when the Nation was in apparent danger, the People might go directly to the King with their Grievances, and make their Complaints and Petitions known. I think we may do well to consult this Text, and see if we can find out any better way than what we have tryed already, to convey our humble Supplications to his Royal Person. In the mean time I think you had not best to go off from the Bill of *Association*; for which we have a Precedent in *Queen Elizabeth's* time, first made by the Gentry, and afterwards confirm'd by Act of Parliament.

L. G. Sir, I would not discourage you from going on with these Bills; but I am afraid they will fall far short of the power and strength that will be necessary to root out an Interest that hath been above one hundred years reiveting it self by all arts and ways imaginable, and hath now fixt it self so near the Throne. I must confess, I am afraid we are at labour in vain, and that this Interest hath so clench'd it self (as the *Jesuits* term it) that it will break not only this *Parliament*, but many more, if not all *Parliaments*, and the *Protestant Religion* too. It is too weighty to be removed, or perverted, by such little Bills as these: No Sir, you will find, that nothing less than a firm Union amongst all the *Protestants* in this Nation, can be sufficient to give any check to this Interest. As long as there are amongst us so many persons as know not rightly how to apply the dangers of the Church and State, nor the miseries of *Forty One*, but will be led by

Popish Projectors, I am afraid such Bills as these will not do our business: Because they will not destroy that *fooling* which they have at *Court*, nor strengthen the Protestant Interest, which must have its Original from Union. It is strange, that none but those who are for the *Duke's* Interest, should be the only persons thought fit to be in places of trust! It is so *strange a way to preserve the Protestant Church and Religion*, that it raiseth with me a doubt, *whether any such thing be designed*. Such persons may be proper to manage Affairs in favour of the *Popish* interest; but it is to be admired, that they, and they only, should be thought fit to be intrusted with the Protestant interest. I think it as hard for them to do it, as to serve two Masters. It is not usual in other Countries to retain their Enemies in the Government, nor such as are Friends to their Enemies, and it is strange that we, of all other Nations, should fall into this piece of Policy. But, Sir, for these reasons you may conclude, that unless what Laws you make, be strong and well penn'd, they will signify nothing against so powerful a Party as you have to do with.

R. Sir, though it plainly appear by what hath been said upon this Debate, that the Protestant Religion is in a dangerous condition, yet when I consider how strangely Gods providence hath hitherto help'd us, and defeated all the wicked Stratagems of this party, I cannot despair. Notwithstanding the breaking of the *Triple League*, the *Dutch War* 1672. and the Assistance given the *French*, the Protestants abroad are not all destroyed: Neither by their *fringe of London*, endeavours to corrupt *Parliaments*, and contrivances against the *Kings life*, have they yet destroyed all at home.

And

And as I doubt not but the King is willing to secure the Protestant Religion to us and our Posterities, so I hope he will hearken to us, and grant such Laws as may be necessary for the securing of it, he being most concerned therein. And therefore I hope, that at last he will concur in such Laws as we shall propose for that end, or contrive better.

Sir W. J. Sir, there hath been so much said already upon the Subject-matter of this Debate, that I shall have little occasion to trouble you long. The worthy Member that spoke a while since, hath shewed you from whence our fears of Popery arise, from the dependance they have of assistance from *France, Ireland, and Scotland*, in case there should be a *Popish King*, besides the Party they have here, and the advantage they will have by the Government, which is already secured for that Interest; and of it self would be sufficient to contest with the Protestant interest, who in such a case would have no King to head them, no persons in any place of Trust to execute any Laws in their behalf, nor no legal power to defend themselves. And therefore, seeing there is a Negative past upon the Bill, we had contrived to secure us from these great dangers, I think, Sir, we may do well to try if we can get any thing else. But I am persuaded if this *Association-Bill* be made as it should be, that we shall have no better success with it than we had with the *Exclusion-Bill*: For I am afraid, that though we are permitted to *brandish our Weapons*, yet that we shall not be allowed to *wound Popery*; but rather do believe, that they which advised the throwing out of that Bill, will also do the same by this, or dissolve the House

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before it come to perfection : For this Bill must be much stronger than that in *Queen Elizabeth's* days ; that was for an *Association* only after her death, but I cannot tell if such a *Bill* will secure us now, the circumstances we are under being very different. In *Queen Elizabeth's* days the *Privy-Councillors* were all for the *Queen's* Interest, and none for the *Successors* ; now most of the *Privy-Councillors* are for the *Successors*, and few for the *King's*. Then the *Ministers* unanimously agreed to keep out *Poper*y, now we have too much reason to fear, there are many that are for bringing it in. In those days they all agreed to keep the *Papish Successor* in *Scotland*, now the *Major* part agreed to keep the *Successor* here ; all which must be considered in drawing up of the *Bill*.

Resolved, That it is the opinion of this Committee, that the House be moved, that a *Bill* be brought in for an Association of all his *Majesties* Protestant Subjects, for the safety of his *Majesties* person, the defense of the Protestant Religion, and the preservation of his *Majesties* Protestant Subjects, against all Invasions and Oppositions ; and for preventing the *Duke of York*, or any other *Papist*, from succeeding to the Crown:

Decem-

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December 17: 1680;

THE Houſe reſolved into a Committee, fir-
ther to conſider of ways and means to ſecure
the Kingdom againſt Popery and Arbitrary Go-
vernment; and after ſeveral Debates, how inef-
fectual all Laws would prove without having good
Judges, Juſtices, and others in Commiſſion that
will execute them, and how frequent Parliaments
would conduce to have Laws put duely in execu-
tion.

Reſolved, *That it is the opinion of this Houſe, that the
Houſe be Moved, that a Bill be brought in for the
more effectual ſecuring of the Meetings and Sittings
of frequent Parliaments.*

Reſolved, *That it is the opinion of this Committee, that
the Houſe be moved, that a Bill be brought in, that
the Judges may hold their places and Salaries, quam
diu ſe bene geſſerint.*

Reſolved, *That it is the opinion of this Committee, that
one means to prevent Arbitrary power is, that the
Houſe be moved, that a Bill be brought in, againſt ille-
gal exaction of money upon the people, to make it High-
Treaſon.* Reported to the Houſe and agreed to.

*His Majesties Speech made to both Houses,
December 15. was Read.*

Mr. Speaker,
SIR, The Veneration that is due to all his
Majesties Speeches, doth require that we
should seriously Debate them before we give any
Answer to them; but the circumstances we are
under at this time, challenge a more then ordinary

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Consultation. For by the tenor of the Speech, I conclude, That the success of this Parliament depends upon our Answer to it, and consequently the safety of the Protestant Religion, both at home and abroad. And therefore I think my self very unable to advise in this matter, and should not have attempted it, but that you have encouraged me by your leave to speak first. So that if I offer any thing amiss, those that come after will have opportunities to correct me. I would begin with the latter end of the Speech first, because that part of it is most likely to beget a fair understanding between his Majesty and this House. But I cannot but observe what great care is here again taken of preserving the Succession in the right Line, as in all other his Majesties Speeches ever since the Plot broke out. I think more could not be done, though it were in behalf of the Kings Son, and a Protestant too. That limitation, and his *Majesties offer of securing the Protestant Religion*, (if by Succession in the right Line may be meant the Duke) upon many Debates in this House is found *irreconcilable*, and therefore must be imputed to those that have advised his Majesty thereto. To preserve the right of Succession in the Duke, is to preserve something or nothing. The something must be no less than the Crown, in case of his Majesties death, and so consequently the interest of the Popish party, who after one hundred years endeavours to have a Prince of their Religion, the indefatigable industry of the Jesuits to obtain it, and the loss of so much Blood spent therein, will, besides their principles and inclinations, lay on them great obligations to make use of the opportunity to establish their Religion again in this Nation. So that

that I must confess, *these reservations look to me like a perfect design to save the whole party, accompanied with a power and a pretence sufficient to enable them to accomplish their end.* For to this, the saving the Dukes right doth amount, and consequently the destruction of the Protestant Religion. Which cannot be imagined to proceed from his Majesty. In former times the interest of no one man could ever bear up against the interest of the Nation, now it seems, that the Religion, Lives, and Liberties of all the people of this Nation; nay, I may say, all the Protestants of the Three Nations must all be lost, *rather than one man be dispossess'd of his right, though by his Act hath made himself incapable to enjoy it.* Certainly there must be more intended by this, than the saving of one man, it must be the saving of a party. And therefore, Sir, I am afraid we are but where we were two years ago. For it is plain to me, that there is a certain fatal Scheme which hath been exactly pursued these twenty years, in order to destroy the Protestant Interest, and hath had a strange secret operation in the management of all our affairs. And although now and then some accidents have hapned, that have occasioned some alteration for a time, as by his Majesties recalling the Toleration, some Transactions of Parliaments, the breaking out of the Plot, and his Majesties Toleration of his Council, 1679. Yet I observe that after a little while there is no change in the main, all returns to the old Scheme, as if there were a certain infallible balance that did preponderate. We have had so much experience of his Majesties goodness and inclinations, that we cannot but conclude, that there is still some such thing, as a wheel within a wheel,

whether Jesuits, (for 'tis like them) or who I cannot tell, nor how the Government is influenced, that the Protestants should not be able to obtain anything for their security. But we may guess, and justly fear, that it will never be other ways, as long as there is a Popish Successour. The truth is, we have a hard task to serve our King and Country, in such a time as this is. We may expose ourselves to the rage of a powerful Party, but I am afraid, get little to secure our selves against their revenge. We are under the same inequality as fair gamblers, that meet with those that use false Dice, and are like to have the same ill luck at last, unless his Majesty should be pleased to consider, who stands up most for his Government, and who plays fairest, and accordingly, change his Councils. The *first three Paragraphs* of the Speech are about *Alliances*, the *fourth* about *Tangier*, the *fifth* about securing the Succession, the *sixth* to know what we *desire*, and what we *will do*.

Sir, I take no delight in looking backward, but without doing it at this time, I am afraid we shall not mend, as we go forward. It is not to be doubted, but that as well for the security of the Nation, at home, as of *Flanders* against the power of *France* and the Protestant Religion abroad, we are under a necessity to make Alliances, and that they cannot be made nor supported without Money. But did we not give above *Two Millions* for the preservation of the *Tripple-League*, and was it not by the power of the *French* and *Popish Party* employed to break it? Did we not a little while since give about a *Million and half* for an *actual French War*, and was there not presently a general Peace made? Do not all Foreign Nations complain, that not-

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withstanding all our Treaties, Pretences, and Declarations, we have been only *true to France* ? And what reason have we now to imagine, that if we should give Money for Leagues, that it would be employed otherwise than formerly ? Is not the same Scheme of Government pursued still ? Is not the *French Ambassador*, and the *French Women* too, as great at Court as ever ? And have not the Dukes Creatures the management of all affairs ? And if the *Dukes interest*, the *French interest*, and the *Papish interest* be all one, can you imagine, that your Money shall be employed to make any Alliances that shall be for the advantage of the Protestant Religion. No, Sir, though His Majesty so intend it, yet the wheel within a wheel, *which hath managed all others Alliances hitherto, will also manage these, and have the disposal of your Money too, and pervert it to our destruction*. And until things settle here at Home, on a true *Protestant bottom*, it cannot be imagined, that any *Foreign Prince* will depend on us, or make Alliances with us. And therefore, as well for that, as because our Money may not probably be disposed of for any good end, it is in vain to Treat of either Alliances or Money. For until the interest be chang'd at Court, that so there may be a better understanding between the King and his people, it cannot produce any thing for our advantage.

As to *Tangier*, and the Succession, there hath been so much said already, when those points were debated, that I will not trouble you with more at this time.

But I beg leave to add something about the latter part of the Speech, which doth a little comfort me, because I hope we may graft such an Answer thereupon, as may beget a right understanding

standing with his Majesty. I know this House is constituted of persons much different from that of the Long Parliament, because of the many Penfioners that were in it, and that we need not now be afraid to talk of Money. I believe we all know, that without giving Money this Succession, the Nation can never be happy, nor his Majesties Government so formidable as it ought to be. And therefore I would humbly Move you to appoint a Committee, to draw up an Address to assure his Majesty, that when his Majesty shall be pleased to grant us such Laws, as are necessary for the security of our Religion, which may be particularized in the Address; that we will be ready to give him what Money his occasions may require, not only for the support of *Tangier*, and Alliances, but to enable him to have a good Fleet at Sea, for the encouraging of Seamen, and security of Trade, and preservation of his Dominions; that so we may shew we are ready to express our duty, as well by our acts as words.

M. Speaker,

Ed. R. Sir, being it is so apparent that all our fears of Popery arise from, and center in the Duke of *York*; and that it is impossible the affairs of this Nation should ever settle on a good Protestant bottom, as long as there is a Popish Successor, which cannot be prevented but by the Succession Bill. That there may be no ill construction made of our desires, I would humbly Move you to offer to supply the King, with what Money he may need for the support of *Tangier* and Alliances, upon his granting of the Succession Bill only, that so his Majesty may have no reason to be diffident of us; not doubting, but that if we can once but lay a founda-

tion

dation for a good Correspondence, that his Majesty will take so much content in it, beyond what he doth now enjoy, that to preserve it, he will afterwards grant us what more Bills may be further necessary for the security of the Protestant Religion. And therefore I am not for clogging this Address with any request for any thing more, than that one Bill.

Mr. Speaker,

Sir W. J. Sir, We have hitherto had so little success in our endeavours, that we may justly suspect, we are permitted to sit here, *rather to destroy our selves, than to save our Country.* It is a matter of admiration to me, that those who have so often advised his Majesty, to put this and the former Parliaments upon finding out Expedients, for securing the Protestant Religion, without altering the Succession, should all this while find out none themselves, but still continue advising the King to put that upon us, which after many Debates is found to be impossible. And that the King should always have at his elbow, persons ready to remember him constantly to make this limitation, which in all appearance must tend to the final destruction of the Protestant Religion. And that there should be no body there, to mind him of proposing some Expedients to prevent it, only in general words, of which no use can be made. According to the opinion of Three successive Parliaments, the limitation in favour of the Popish Interest, is plain, intelligible, and practicable. I hope his Majesty against the next occasion, will require them that have so advised him, to make the Expedients, and other ways to secure the Protestant Religion, as plain and practicable; that so we may see if the security of

the Protestant Religion be designed in good earnest by such advisers, which I cannot believe ; because what they propose, is, in my opinion a contradiction in it self. Without the *Exclusion Bill*, there can be no Expedient, but what will leave us in that miserable condition, of having first or last a contest with our lawful King. And there can be no such thing as setting up a power to oppose him, but by putting a kind of *Supream Authority in the Parliaments*, with a power to oppose, as well by making War as Laws, which might prove the destruction of the Monarchical Government. The said trust or power (without the Exclusion Bill) being not to be reposed in the next Heir, or any single person, lest he should die before he come to have the power in him, or utterly refuse to act if he should live to have a right by vertue of such a settlement, to administer the Government. In such a case there would be no lawful power lodged any where else, to oppose such a King, and there must not be an *inter Regnum*. By this short account you may see, what difficulties all Expedients will be lyable to, and may conclude, that those that advise the King to make this limitation, do intend it as an *Expedient to make the endeavours of Parliaments ineffectual, and to bring in Popery*. And if you had offered at such Expedients as I have mentioned, as the last House of Commons was Arraigned for Omnipotent and Arbitrary, so would this with some worse Character ; as having attempted to destroy the Monarchical Government, that if possible the King and people might be put out of love with Parliaments. But, Sir, though it is plain, that things are thus out of order, yet let us not be wanting in our duty, but give such an

Answer

Answer to his Majesty, as may if possible, create in him a good opinion of this House, and satisfy him of the necessity of the Bill of *Exclusion*, and that all other acts of *Grace* will but serve to fatten us for the slaughter of our Enemies. The last part of this Speech, I believe, is his Majesty's own; he seems willing to know what you expect from him, and what you will do for him, which I think is a fair proposition to come to an understanding. And although it be not good manners to offer to make a bargain with his Majesty; but as in bargains there is a *quid* and *pro quo*, so in this. And I think we need not fear talking of Money in this House, being all seem resolved to give it freely, if we can be secured of our Religion, but no otherways. And therefore I humbly conceive, you may accordingly express your selves plain in your Address.

Mr. Speaker,

W. G. Sir, if you do not represent all your Grievances in this Address, as the condition of your giving Money, whatever you shall offer at afterwards, will be lookt as clamorous and out of order. And therefore I would advise you, not to omit any one Grievance you expect any remedy in. And I am for enumerating all your Grievances in the Address, which have been lately Debated. And I do admire no body takes notice of the standing Army, which if not reduced to such a number as may be convenient for Guards, and so limited, that they may not be increased, unless in case of a Rebellion or an Invasion, all your Laws may signify nothing. And I am not satisfied, in the making of such general offers of Money. For if you do, you will hear in time, that the *Fleet* needs one *Million*;

Alli-

Alliances as much more, and *Tangier* (though I think not worth keeping) little less. A demand of Three Millions, grounded on your general promise, would perplex the House how to come off with that reputation, which a House of Commons ought to preserve with the King. I know not how such a promise may be turn'd upon you, and therefore I am either for demanding more, or promising less.

Mr. Speaker,

Sir E. H. Sir, I am very unwilling to have this Parliament broken; yet I cannot agree, that to prevent it, we should offer so much, and demand so little as has been mentioned. Have we not sate two days in a Committee, to examine the dangerous estate of the Kingdom, and ordered several good Bills to be brought in thereupon, for the securing us against Popery and Arbitrary power? and shall we now the next day lay all those Bills aside, and be content with the *Exclusion Bill* only, which I think will be worth nothing, unless you can get more. And therefore, though to obtain them you spoke plain English, and mentioned what sum you intend to give, I think you will be safer to offer Money in general words, without declaring what, or enumerating your Bills,

Mr. Speaker,

G. V. Sir, I cannot agree with this worthy Member, for it would take up some day Debates, to agree what sum is necessary to supply His Majesties occasions, and what sum to exprels. And it may be to no purpose, as the case stands with us, unless we are sure his Majesty would find out some way to bring the *Exclusion Bill* about again, then indeed we might come to particulars. In the mean

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mean time, a promise in general words may be sufficient; and save the House a great deal of time. And for my part, I am not for enumerating many Bills, but should be content to give Money upon having the Exclusion Bill only, which being so precisely necessary for the preservation of our Religion, all the world will justify us in the demanding it, before we part with Money, and therefore I desire the Committee may draw up the Address accordingly.

Resolved, That a Committee be appointed to prepare an Humble Address to His Majesty, upon the Debate of the House, in answer to His Majesties Speech.

Decem-

December 20. 1680.

Mr. Hampden reports the Address; which was read.

The Humble Address of the House of Commons presented to his Majesty, in Answer to his Majesties Gracious Speech to both Houses of Parliament, upon the 15th day of the same December.

May it please your Most Excellent Majesty, **W** E Your Majesties most Dutiful and Loyal Subjects, the Commons in the present Parliament Assembled, have taken into our serious Consideration, Your Majesties Gracious Speech to both Your Houses of Parliament, on the 15th of this instant December; and do with all the grateful Sense of faithful Subjects, and sincere Protestants, acknowledge Your Majesties great Goodness to us, in renewing the Assurances You have been pleased to give us of your readiness to concur with us in any means for the Security of the Protestant Religion, and Your Gracious Invitation of us to make our desires known to Your Majesty.

But with grief of Heart we cannot but observe, that to these Princely Offers, Your Majesty has been advised (by what secret Enemies to Your Majesty and Your People, we know not) to annex a Reservation, which if insisted on, in the instance to which alone it is applicable, will render all Your Majesties other Gracious Inclinations of no effect or advantage to us. Your
Maje-

Majesty is pleased thus to limit Your promise of concurrence in the Remedies which shall be proposed, that they may consist with preserving the Succession of the Crown in its due and legal course of Descent. And we do humbly inform Your Majesty, that no Interruption of that Descent has been encountered by us, except only the Descent upon the Person of the Duke of York, who by the wicked Instruments of the Church of Rome, has been manifestly perverted to their Religion. And we do humbly represent to Your Majesty, as the Issue of our most deliberate Thoughts and Consultations, that for the Papists to have their hopes continued, that a Prince of that Religion shall succeed in the Throne of these Kingdoms, is utterly inconsistent with the Safety of Your Majesties Person, the Preservation of the Protestant Religion, and the Prosperity, Peace, and Welfare of Your Protestant Subjects.

That your Majesties sacred Life is in continual danger, under the prospect of a Popish Successour, is evident, not only from the Principles of those devoted to the Church of Rome, which allow that an Heretical Prince (and such they term all Protestant Princes) Excommunicated and Deposed by the Pope, may be destroyed and murder'd; but also from the Testimonies given in the prosecution of the horrid Popish Plot, against divers Traitors attainted for designing to put those accursed Principles into practice against Your Majesty.

From the expectation of this Succession, has the number of Papists in your Majesties Dominions so much increased within these few years, and so many been prevailed with to desert the true Protestant Religion, that they might be prepared for the Favours of a Popish Prince, as soon as he should come to the possession of the Crown: And while the same Expectation lasts, many

more

more will be in the same danger of being perverted. This it is that has hardened the Papists of this Kingdom, animated and confederated by their Priests and Jesuits, to make a Common Purse, provide Arms, make application to Foreign Princes, and sollicit their Aid, for imposing Popery upon us; and all this even during Your Majesties Reign, and while Your Majesties Government and the Laws were our protection.

It is Your Majesties Glory and true Interest, to be the Head and Protector of all Protestants, as well as broad as at home: But if these hopes remain, what Alliances can be made for the advantage of the Protestant Religion and Interest, which shall give confidence to Your Majesties Allies, to join so vigorously with Your Majesty, as the State of that Interest in the World now requires, while they see this Protestant Kingdom in so much danger of a Popish Successor; by whom at the present, all their Councils and Actions may be eluded, as hitherto they have been, and by whom (if he should succeed) they are sure to be destroyed?

We have thus humbly laid before Your Majesty, some of those great Dangers and Mischiefs which evidently accompany the expectation of a Popish Successour. The certain and unspeakable Evils which will come upon Your Majesties Protestant Subjects and their Posterity, if such a Prince should inherit, are more also than we can well enumerate.

Our Religion, which is now so dangerously shaken, will then be totally overthrown; nothing will be left, or can be found to protect or defend it.

The Execution of old Laws must cease, and it will be vain to expect new ones. The most sacred Obligations of Contracts and Promises (if any should be given) that shall be judged to be against the Interest of the Romish Religion, will be violated; as is manifestly,

niable, not only from Argument and Experience elsewhere, but from the sad Experience this Nation once had on the like occasion.

In the Reign of such a Prince, the Pope will be acknowledged Supreme (though the Subjects of this Kingdom have sworn the contrary) and all Causes, either as Spiritual, or in order to Spiritual Things, will be brought under his Jurisdiction.

The Lives, Liberties, and Estates of all such Protestants, as value their Souls and their Religion more than their secular Concernments, will be adjudged forfeited.

To all this we might add, That it appears in the discovery of the Plot, that Foreign Princes were invited to assist in securing the Crown to the Duke of York; with Arguments from his great Zeal to establish Popery; and to extirpate Protestants (whom they call Hereticks) out of his Dominions; and such will expect performance accordingly.

We further humbly beseech Your Majesty, in Your great Wisdom to consider, Whether in case the Imperial Crown of that Protestant Kingdom should descend to the Duke of York, the opposition which may possibly be made to his possessing it, may not only endanger the farther descent in the Royal Line, but even Monarchy itself.

For these Reasons, we are most humble Petitioners to Your most Sacred Majesty, That in tender consideration of Your poor Protestant People, Your Majesty will be graciously pleased to depart from the Reservation in Your said Speech; and when a Bill shall be tendered to Your Majesty, in a Parliamentary way, to disable the Duke of York from inheriting the Crown, Your Majesty will give your Royal Assent thereto; and as necessary to fortifie and defend the same, that Your Majesty

Majesty will likewise be graciously pleased to Assent to an Act whereby Your Majesties Protestant Subjects may be enabled to Associate themselves for the defence of Your Majesties Person, the Protestant Religion, and the Security of Your Kingdoms.

These Requests we are constrained humbly to make to Your Majesty as of Absolute Necessity, for the safe and peaceable Enjoyment of our Religion.

Without these things, the Alliances of England will not be valuable, nor the People Encouraged to Contribute to Your Majesties Service.

As some farther means for the preservation both of our Religion and Property, We are humble Suiters to Your Majesty, that from henceforth such persons only may be Judges within the Kingdom of England and Dominion of Wales, as are men of Ability, Integrity, and known Affection to the Protestant Religion. And that they may hold both their Offices and Salaries, Quam diu sic bene gesserint. That (several Deputy-Lieutenants and Justices of the Peace, fully qualified for those Employments, having been of late displaced, and others put in their room, who are men of Arbitrary principles, and Countenancers of Papists and Popery) such only may bear the Office of a Lord-Lieutenant as are persons of Integrity and known Affection to the Protestant Religion. That Deputy-Lieutenants and Justices of the Peace may be also so qualified, and may be more-over men of Ability, of Estates and Interest in their Country.

That none may be employed as Military Officers, or Officers in Your Majesties Fleet, but men of known Experience, Courage, and Affection to the Protestant Religion.

These our humble Requests being Obtained, we shall on our part be ready to Assist Your Majesty for the Preservation

servation of Tangier, and for putting your Majesties Fleet into such a condition as it may preserve your Majesties Sovereignty of the Seas, and be for the Defence of the Nation.

If your Majesty hath or shall make any necessary Alliances for defence of the Protestant Religion, and Interest and Security of this Kingdom, this House will be ready to Assist and Stand by your Majesty in the support of the same.

After this our Humble Answer to your Majesties Gracious Speech, we hope no evil Instruments whatsoever shall be able to lessen your Majesties Esteem of that Fidelity and Affection we bear to your Majesties Service; but that your Majesty will always retain in Your Royal Breast, that favourable Opinion of us Your Loyal Commons, that those other good Bills which we have now under Consideration, conducing to the Great Ends we have before mention'd; as also all Laws for the benefit and comfort of your People, which shall from time to time be tendered for your Majesties Royal Assent, shall find acceptance with your Majesty.

Mr. Speaker,

E. V. Sir, I have hearkned with all the attention I could to this Address, and do agree with the first part of it. The Dangers and Inconveniencies arising from a Popish Successour, are very obvious; and that there will be no Peace nor Tranquility in this Nation for the present, as long as there is a Popish Successour, and that our Religion will be lost, if there should be a Popish King, I am afraid is too true: But yet I must crave leave to dissent from the opinion of those worthy Members that have drawn it, as to the other parts thereof. I think it

is not convenient at this time, to press so hard for the *Exclusion-Bill*, because we know we cannot have it without a *Prorogation*; which for my part I fear at this time, as much as I do a Popish Successour: for I do believe, if it should happen, that you will sooner see the Duke at *White-hall*, than this Assembly met together again between these Walls. And therefore am not willing to give the Popish party such an advantage to procure our Dissolution, lest they should lay hold of it, as I believe they would; by which the Protestant Interest both abroad and at home, will be ruin'd. And as I cannot agree in this, so neither in pressing the *Association-Bill*: For being it hath not yet been brought into the House, we do not well know what will be the purport of it. And it is not proper, that we should ask of the King we know not what; nor expect that he should grant us what he can know nothing of. And truly, Sir, I think that these things about the Judges, Deputy-Lieutenants, and Justices of the Peace, are minute things to be insisted on at this time, compared with others which might be demanded. *Queen Elizabeths Counsellors never thought her safe, until the Popish Successour was inclosed in a Tower; and I am afraid that you will never be safe, until you take some such course that may bring things to an issue.* When you have done that, and banished all the considerable Papists out of *England*, I think we shall not be in so apparent danger, as we now are. And seeing this may probably be granted, and the other Bills not, I humbly move you to recommit the Address that it may be better considered. I know not how this may agree with the sense of the House, but I shall always crave leave to speak in this place according to my Conscience,

science, that so I may have peace within me; but readily submit to better judgments.

Mt. Speaker,

Sir W. F. Sir, I am very glad that worthy Member agrees in the apprehensions of the dangers arising from a Popish Successour, and in the necessity of the Bill of Exclusion; and am very sorry I cannot agree with him in the rest of his Discourse. I cannot imagine, without a high reflection upon his Majesty, that if he should be persuaded to prorogue the House for two or three days, in order to pass the Exclusion Bill, that he should instead of permitting us to meet again, dissolve the Parliament; which is quite contrary to it. I fear a Prorogation, without being intended for this; but if once we could prevail with His Majesty to do it for this end, I should not doubt the desired effect. And in pressing the *Association* Bill, we shall not press the King to grant us we know not what: The word *Association* may very well be understood, and the ends of it are declared to be for the security of his Majesties person, and the Protestant Religion. And if when drawn, it should be directed to other ends, I suppose this House will take care to mend it; if not, the Kings promise can bind no further than to pass a Bill for those ends. But I do much admire to hear, that the having of good Judges, Justices, and commander at Sea and Land, is a trivial thing: For I think that all other things you desire without it, would signifie nothing. As long as the Laws and Militia of the Nation is in the hands of persons not well affected to the Protestant Interest, I am afraid we shall have no security against Popery. As to the new way that hath been proposed of bringing matters relating to the *Popish*

Successour, to such an issue, as that he may be secured, as in *Queen Elizabeth's* time. If he had been sensible that there are none in Office but what are for his Interest, he would first have agreed to have endeavoured to have got such changed, before he would have proposed that way. And it would be necessary that we should also have such Privy-Councillors as *Queen Elizabeth* had, and not *Eleven* to *Seven* for the *Papish Successour*. And therefore seeing these Proposals have no more appearance of being for your service, I see no reason you have to be diverted from the way you were going: And therefore I humbly move to agree with your Committee.

The House Agreed.

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December 21. 1680.

A Bill was read for uniting his Majesties Protestant Subjects.

Mr. Speaker,

SIR, it is not to be doubted but that the happiness of this Nation and safety of our Religion doth depend very much upon preserving the well-constituted Government of the Church, and that the Government in the State will not long stand if that be pull'd down, to which, I am afraid, this Bill will contribute very much. Sir, it is well known, how notwithstanding all the endeavours of his Majesty, as well in Parliament as otherwise, all the Acts that are in force against Dissenters, all the endeavours of the Fathers of the Church, there are a sort of men, and great numbers too, who will neither be advised nor overruled, but under the pretence of Conscience break violently through all Laws whatsoever, to the great disturbance both of Church and State. And if you should give them more Liberty, you will encourage them to go on with more boldness; and therefore I think it will be more convenient to have a Law for forcing the Dissenters to yield to the Church, and not to force the Church to yield to them; And I think we are going quite the wrong way to do the Nation good. And therefore I am against this Bill.

Mr. Speaker,

P. Sir, I would not open my mouth in favour
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of this Bill if I thought it would any ways prejudice the Church, or Church-Government; but I believe it may have a quite contrary effect, and tend more for the preservation and safety of the Church and Church-Government, than any Bill whatsoever that could be contriv'd. We have a Church-Government settled by Law, to which the Major-part of the People like good Christians and Loyal Subjects give obedience; but it is our misfortune that there are in the Nation a great many which will not submit to this Government, which may be divided under three Heads. 1. The *Papists*, who differ from us in points of *Faith*, and will not give any obedience but to the Church of *Rome*. 2. *Independents*, *Presbyterians*, and *some others*, who agree in points of *Faith*, and differ only in some points of Doctrine and Ceremonies. 3. *Quakers*, who disagree not only in points of Doctrine and Ceremonies, but in points of *Faith*, and are a head-strong sort of unreasonable people, that will not submit to any Laws made about Religion, but do give obedience to the Civil Magistrate upon all other occasions. The Church of *England-men*, are not only the greatest number, but have the Government of their side. What Laws to make that may tend most to the preserving of it is your business. It is in danger from the *Papists* on the one hand, and the rest of the Protestant dissenters on the other, who in some measure agree in their enmity and disrespect to the Church, and therefore the more care ought to be taken for its preservation.

Having thus, Sir, discovered the danger of the Church in general, it will be necessary, in order to find out a remedy, to discourse a little of the

Strength and Interest of each Party in particular.

Sir, the Papists are not the greatest number, but yet in my opinion, upon several considerations, are most to be feared, because of their desperate Principles which make them bold and indefatigable, and the assistance they may have from *Rome, France, and Ireland*; but above all, from the great share they have in the management of the Government, by the means of a *Papish Successor*, and the fear of their getting the Government into their hands hereafter, by having a *Papish King*. Which of it self hath been sufficient in former times to change the Religion of this Nation, and may justly be feared, may have the same effect again, unless the Protestants be well united. The *Presbyterians, Independants*, and all other Dissenters, may be more in number than the Papists, and may be willing enough to have the Church-Government altered, if not destroyed; yet being they cannot have any succour from abroad, nor from the Government here at home, I cannot see any great danger of them. For it is not probable that they shall ever have a King of their Opinion, nor a Parliament, by the discovery they made of their strength in the last Elections. For according to the best calculation I can make, they could not bring in above one in twenty. And therefore, because they have not such bloody desperate Principles as the Papists, and because we agree in points of Faith, and so no such great danger from them as from the Papists, I think we have reason to conclude, that the Church is most in danger from the Papists, and that therefore we ought to take care of them in the first place; and we

cannot do that by any way more likely to prove effectual, than by some such Bill as this. Because if it should have the effect designed of bringing in many of the Dissenters into the Church, it would disappoint them of the great hopes they have grounded on our Divisions, and make the Church stronger, not only to oppose the Papists, but such Fanaticks as may not come in. And if we should be so unfortunate as that this Bill should not have this success, I do not understand it will any way weaken the Church-Government. And therefore I am for this Bill.

Mr. Speaker,

F. Sir, this Bill is intended for the preservation of the Church, and I am of opinion, is the best Bill that can be made in order thereto, our circumstances considered. But I know not what effect it may have, because you are to deal with a stubborn sort of people, who in many things prefer their humour before reason or their own safety, or the publick good. But, Sir, I think this is a very good time to try whether they will be won by the Cords of Love or no, and the Bill will be very agreeable to that Christian Charity which our Church professes; and I hope that in a time of so imminent danger as we are in, of a common Enemy, they will consider their own safety, and the safety of the Protestant Religion, and not longer keep asoot the unhappy Divisions that are amongst us, on which the Papists ground their hopes. But rather seeing the Church doth so far condescend as to dispencc with the Surplice and those other things which they scruple at, that they will submit to the rest that is enjoyed by Law, that so we may unite against the common Enemy. But

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if this Bill should not have this desired effect, but on the contrary, notwithstanding this censure, they should continue their Animosities and disobedience to the Church, I think still the Church will gain very much hereby, and leave that party without excuse, and be a just cause for the making of more coercive Laws. So that upon all accounts you have been well moved for the passing of this Bill.

Mr. Speaker,

E. Sir, I very much admire to hear it alledged, that this Bill will tend to the advantage of the Church; For how can the pulling down of the Pales, and weakening the Laws against its Enemies, be a way to preserve it? I am of another opinion, and do think this Bill may not only occasion a great weakness, but give, I fear, a mortal Wound to the Church. Is it not much more reasonable, that the Dissenters should submit to the Church, than the Church to the Dissenters. And I am afraid, if once the Government should begin to yield to them, it will be as in 41, nothing will serve but an utter subversion; the having of one thing, will give occasion for demanding more; and it will be impossible to give them any satisfaction, without laying all open, and running into confusion. It is our misery that the Church is in so much danger of Popery; pray, Sir, let us have a care how we increase her danger from Fanaticks. Instead of this Bill I humbly conceive, that Laws to force the execution of such Laws as are in being against the Dissenters, and what more may be necessary to compel an entire obedience, (seeing the experience we have already had of this other way hath not proved effectual) may more

contribute to the strengthening of the Church, and prevention of Popery.

Mr. Speaker,

Sir, as well Church-men as Dissenters, do all know we have a dangerous common Enemy that is got within our bowels, and wants nothing but a King to their minds to have the strength of the Nation, as well Civil as Military, at their Command, and so consequently a sufficient power to destroy the Protestant Religion, if not prevented by a timely Union of the Protestant Interest. The question that may properly arise at this time is, whether the putting of the Laws we already have in execution, and making more against Dissenters, in order to bring them into the Church by force, or the making of the Law to bring them in by fair means, be the most likely way to unite us, that so we may be in a better condition to oppose the common Enemy. It is obvious to me, that the making of new Laws, or execution of the old at this time, is the ready way to ruine us; and what the Papists do certainly desire and aim at above all things whatsoever. For if it should be put in practice, the effect would be this; *It would be the occasion of throwing off the further prosecution of the Plot and Popery, and in a little time occasion, not only more heats and animosities, but such a revengeful implacable Spirit amongst us, as would prove irreconcilable, and give opportunity for the Popish Interest to joyn with either party, or at least ways. abet and assist them under hand, so as that they shall easily be provoked to destroy one the other.* But if this should not happen, what real Love, Friendship, or Obedience can the Church expect from such persons, as by
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the execution of such Laws may be forced to come to Church? How can they be depended on, or the Church be strengthened by them? You may prevent their Conventicles, and force them either to come to Church or pay Fines, or be imprisoned; but you cannot expect that *their Opinions or Affections should be altered by such proceedings, without which the Church can never be the stronger*. It must be a work of time to reconcile the Divisions that are amongst us, and may be a great and necessary employment for many Parliaments hereafter, when the common Enemy doth not give such a just occasion of distraction, and for employing all your thoughts and care about him when they may have more leisure, because their dangers may not be so imminent. But to go about it at this time by any such Laws, is the ready way to weaken the Protestant Interest, and bring ruine upon us. But suppose we would follow this advice, and make new Laws, and require a severe execution of the old, how can you imagine that as long as the Popish Interest is so prevalent, the execution of such Laws shall be continued longer, than may be subservient to the interest of that party? Have we not had a sad experience of this? Hath the *Oxford-act*, or that of the 35 of Queen Elizabeth, or any other against the Dissenters, been executed in favour of the Church? *Are not the Dissenters as many, if not more, now than ever?* And is not Experience in all affairs the best Master? And is there any thing more visible, than that these Laws have been made use of to serve the Popish Interest, or as Engines rather for the affairs of the State than Church: when in the Year 1670 by the severe execution of these Laws

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all Meetings in Conventicles were prevented, and many Dissenters came to Church, did not the Toleration happen thereupon? and was not the execution of the Laws put afoot, as may be presumed, by that great Papist *Clifford*, who had then the greatest share (under his Majesty) in the Administration of the Government? If the execution of the Laws against Dissenters had been for the advantage of the Church, why was there then granted a Toleration? And if the Toleration had been intended for the advantage of the Protestant Religion, why were not the Churchmen, nor Dissenters of any kind, pleased with it? And if the *Oxford*-act, and other Laws against Dissenters, were projected in favour of the Protestant Religion, it was strange that they were so much promoted (as many Members, now here, who did serve in those Parliaments do remember) by Sir *The. Clifford*, Sir *Solomon Swale*, and Sir *Roger Strickland*, who have since all appeared to be Papists. Sir, we have been strangely led by the Popish Interest for many years already; I pray, Sir, let us not now at last do like *Narcissus*, to be so much in love with a Shadow, as to fall into a Gulph and drown our selves. Sir, I am afraid the *Name of Church* hath been strangely made use of to bring in Popery. I hope we shall endeavour to preserve, not only the *Name*, but the *Substance*, I mean the Protestant Religion, otherwise we may come off no better than the Dog in *Æsop's* Fables with his Shoulder of Mutton. I hope that what I have said, will not represent me as an Enemy to the Church, or Church-Government; I am sure, I am not conscious to my self, that I ever entertained a thought against the preservation of either. All
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what I have said, doth proceed from an apprehension that *our Church-Men of late have been out of the right way to preserve either, our Religion or our Church*; Because the courses which they take must (though I am far from suspecting they design it) give a great assistance to Popery. I remember that after the Plot broke out, there was for a little while a kind of a reconciliation amongst Protestants, and an united opposition made to the common Enemy, and how then the Popish Interest gave way, we may all remember; *but this was too much in favour of the Protestant Religion to hold long.* Within a few Months the fire broke out again, and the Pulpits and the Press, instead of being employed against the Common Enemy, were reduced to their old way, of carrying on the divisions amongst Protestants: And how the Popish Interest have since gone on triumphant again, all here, I suppose, may know. Sir, the Church hath two strong Enemies, the *Papists* and *Fanatics*. We are already engaged in a sharp contest with the *Papists*, and find they are strong enough for us; Why must we now also enter into a fresh engagement with the *Fanatics*, especially when we may be sure thereby to strengthen our Enemies, and weaken our selves? Such advice cannot proceed from such as are friends to the Protestant Church: If we should make new Laws against Dissenters, as hath been moved, and enforce the execution of the old ones, as long as we have a Popish Successor, can any man imagine, that the execution of them will be longer kept aloot, than will consist with the Popish Interest. Sir, our Church and Religion will be lost, if Union be not improved amongst Protestants, and I think no Bill can promote it like this.

this. And therefore I am for the passing of this Bill.

Resolved, *That the said Bill be committed upon the Debate of the House.*

December 23. 1680.

Some Queries relating to the Execution of *William* late Viscount *Stafford*, offered to the House by the Sheriffs of London and *Middlesex*.

1. *Whether the King, being neither Judge nor Party, can order the Execution?*
2. *Whether the Lords can award the Execution?*
3. *Whether the King can dispence with any part of the Execution?*
4. *If the King can dispence with some part of the Execution, why not with all?*

Mr. Speaker,

Sir, Death is the end of the Law in Criminal matters; the other particulars of the Sentence are but Ceremonies, used *ad terrorem*. I never read of any *Peer* that was quartered, though many have been condemned for Treason, and some in Parliament. The Lady *Jane Grey*, and many other Women, have been condemned for Treason, and in that case are always condemned to be Burnt; but however, are usually, if persons of Honour, Beheaded. Where-

fore it is probable, that the Royal Power hath always dispenced with such Sentences formerly; and if so, this House lieth not under any obligation to offer at any opposition, nor concern themselves herein, especially at this time, when such a dispute may end in preventing the Execution of the said Lord *Stafford*. And therefore I humbly conceive you may do well to give your consent, that the said Writ be executed according to its tenour.

Resolved, *that this House is content that the Sheriffs of London and Middlesex do execute William late Viscount Stafford, by severing his Head from his Body only.*

Decemb.

December 30. 1680.

A Motion being made in the behalf of Judge Rayman, that one Sherredon in custody of the Serjeant at Arms, by order of the House, had moved for his Habeas Corpus; which he had denied, because he was committed by order of the House, desiring the Opinion of the House.

Mr. Speaker,

SIR W. J. SIR, the Privileges of both Houses of Parliament are concern'd in this business, and in that the very being of *Parliaments*; and therefore we must be very careful what we do in it. I have perused the *Habeas Corpus* Bill, and do find, that there is not any thing in it that doth reach, or can be intended to reach to any Commitment made by either House of Parliament during Session. The preamble of the Act, and all the parts of it, do confine the extent of the Act to Cases bailable, and directs such courses for the execution of the Act, as cannot be understood should relate to any Commitment made by either House. This House is a Court of it self, and part of the Highest Court in the Nation, *Superior* to those in *Westminster-Hall*; and what Laws this House joyns in making, are to bind inferior Courts, but cannot be understood to bind themselves as a Court; that would prove not only dangerous, but destructive to the Dignity of *Parliament*;, and level them with the Courts in *Westminster-Hall*. Great care ought

ought to be taken how you allow of Restraints and Limitations to the proceedings of both Houses of Parliament, being so great a part of the Legislative power of the Nation, lest thereby you should by degrees render them useless. *A Commitment of this House is always in nature of a Judgment; and the Act is only for Cases bailable, which Commitments upon Judgments are not; at least Commitments by this House were never yet allowed to be bailable.* And I suppose you will never grant them so to be. Can it be imagined that this House, who present all the Commons of England, should not be intrusted with as much power for the preservation of their constitution upon which the support of the Government so much depends, as ordinary Courts and Officers are intrusted with, which are only designed for the welfare of particular persons. I am of opinion, that no Act can deprive this House of that power which they have always exercised, of committing persons without Bail, unless in express words it be so declared: Nor of discharging upon Bail after committed. *The same reasons which may be given for discharging such as are not committed for breach of Privilege, if it be grounded on the Act for the Habeas Corpus, will hold as strong for the discharging of persons committed for breach of Privilege; and so consequently deprive this House of all its power and dignity, and make it in significant.* This is so plain and obvious, that all Judges ought to know it; and I think it below you to make any Resolve therein, but rather leave the Judges to do otherways at their peril, and let the Debate fall without any Question.

Mr. Speaker,

Sir F. W. Sir, the last House of Commons being sensible how narrowly this Nation escaped being

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ruin'd by a sort of *Monsters* called *Pensioners*, which fate in the late *Long Parliament*, had entred into a Consideration how to prevent the like from coming into future Parliaments; and in order thereto resolv'd, That they would severely chastize some of those tha had been guilty, and make the best Laws they could to prevent the like for future: And for that purpose a Committee was appointed, of which Mr. Serjeant *Gregory*, now Judge *Gregory*, was Chairman; by which, many Papers relating to that affair, came to his hands. Sir, I think it a business of so great importance, that it ought never to be forgotten, nor the prosecution of it deferred. I have often heard, that *England* can never be destroyed but by it self: To have such Parliaments, was the most likely way that ever yet was invented. I remember a great Lawyer said in this House, when it was debated in the last Parliament, That it was Treason; and he gave many learned Arguments to make it out. Whether it be so or no, I will not now offer to debate; but I think that for those that are the Legislators of the Nation to take Bribes, to undermine the Laws and Government of this Nation, that they ought to be chastized as Traytors. It was my fortune to sit here a little while in the *Long Parliament*; I did observe that all those that had *Pensions*, and most of those that had Offices, *Voted all of a side*, as they were directed by some great Officer, as exactly as if their business in this House had been to *persecute their Pensioners and Officers*, and not to make *Laws for the good of them that sent them here*. How such persons could any way be useful for the support of the Government, by preserving a fair understanding between the King and his People, but on the contrary how dan-

gerous to bring in Arbitrary power and Popery, I leave to every Mans Judgment. They were so far from being *the true Representatives of the People*, that they were a *distinct middle Interest* between the King and the People; and their chief business was to serve the end of some great Minister of State, though never so opposite to the true Interest of the Nation. Sir, this business ought never to fall, though there should be never so many Prerogations and Dissolutions of Parliaments, before any thing be done in it; I think it is the Interest of the Nation, that it should be *prosecuted from Parliament to Parliament, as if there were an Impeachment in against them*. And therefore, Sir, I would humbly move you to send some Members of this House to Judge Gregory, for the Papers he hath taken in his custody relating to this affair, that so you may in convenient time proceed further herein, as you shall think good. And, Sir, being there is a report that some of this House have now made a Bargain at Court for great Offices, in order to vitiate and corrupt their Votes in this House; which though but a project to cast a reflection on such Members, however to satisfy the world, I pray, Sir, let there be a Vote past, *That no Member of this House shall accept of any Office under the Crown, during such time as he continues a Member of this House.*

Mr. Speaker,

S. T. Sir, I am so over-loaden with Melancholy, as that I can hardly speak in this matter: For I have received so many Complements as to my being constituted a great Minister of State, that I begun to flatter my self, as others flattered me, that I was really so. But now I do discover, that I have been but in a kind of a dream; and to fear
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that I shall never in reality have any such Office, But whatever Vote you make to punish us Officers, I pray, Sir, let it not be so secret as that it may prejudice the publick. Suppose his Majesty should have occasion to send some persons to *Nineguen* for Plenipotentiaries, and these should not be any men in *England* fit for it, but some that should be Members of this House, would you have the publick affairs of the Nation injured, rather than such Members should accept of such an Employment? Or suppose some Invasion should happen, and there were no courageous expert Admirals to be had, but such as were Members of this House, should they not accept thereof because of your Vote? To prevent these inconveniencies, to leave us all some hopes, I pray, Sir, add to your Votes, *Not without leave of the House.* After some further Debate.

Resolved, That no Member of this House shall accept of any Office or Place of profit from the Crown, without the leave of this House; nor any promise of any such Office or Place of profit, during such time as he shall continue a Member of this House.

January 5. 1681.

*The Articles against Sir William Scroggs,
Chief Justice of the King-Bench, were
read.*

Mr. Speaker,

Sir T. L. SIR, in my opinion the matter contained in the last seven Articles, doth not answer the first Article nor the Title: for therein you accuse Sir *William Scroggs* in general words of High-Treason, the height of Crimes; and when you come to particulars, you instance the dismissing of Grand-Juries, prohibiting Printing of Pamphlets, in equality in levying of Fines, and the like. Sir, I would not be understood to be an Advocate for the Lord Chief Justice *Scroggs*; but I hope that as long as I sit here, you will always give me leave to be an Advocate for this House; which I cannot more signally demonstrate, than by offering my opinion against every thing which I think will reflect upon the Justice or Prudence of the House, or prove any hindrance to the finishing of those great Affairs you have under Debate.

Sir, I am of opinion, that though all these things contained in these Articles should be fully proved, they will not amount to Treason; and although it be true that you do but impeach, and that the Lords are to judge, yet it is not agreeable to the Justice of this House, that the Articles should be for *Treason*, unless you are well satisfied that you can make

out that the matter contain'd in the Articles is so : Which I very much doubt; and therefore I am of opinion, that the Articles ought only to be for high Crimes and Misdemeanours; which I am the more forward to press you earnestly to, because I am afraid if these Articles should go for High-Treason, it may occasion some dispute with the Lords, who happily, if they do not conclude that the matter contain'd in the Articles amounts to Treason, will not commit him, notwithstanding their Order made in the Earl of *Danby's* Case : And that may occasion such misunderstandings, as may hinder all other business. And also if you send it up for High-Treason, it may occasion another Dispute with the Bishops, whether they shall withdraw or no, when the Case comes to be tryed. Upon the whole matter, I think it will be much safer that you make the Impeachment for high Crimes and Misdemeanors only.

Mr. Speaker,

P. F. Sir, my obligation to serve my Country, calls on me to give you my opinion in this matter, and not any kindness to my Lord Chief Justice : for I can safely declare, that I do not think him fit for that eminent place now, because indeed I never thought he was fit : So that what I shall say, proceeds from my kindness to the Publick, and particular obligations to this House. I think we ought to be cautious how we increase Laws to take away our lives; our Forefathers were very careful in it, as may appear by the Statute of 25 *Edw.* 3. which was made to prevent the Judges from taking on them any power to declare any thing Treason but what was express'd within that Statute; reserving all obvious Crimes of that nature to the Judgment of

of the Nation in Parliament, who no doubt may declare other things Treason which are not within that Statute. But it is a Question with me, whether it can be done any other way than by Bill, that so it may be an Act of King, Lords and, Commons, and not for the House of Lords only, the Commons only prosecutors, and the King not concern'd ? That the Lords alone are proper Judges in many Cases, when persons are prosecuted upon some known Law, is not to be doubted; but I much question if they ought to be so in Cases of *declarative Treason, though upon an Impeachment from the House of Commons* : For that were to allow all the Lords alone a power of making a Law in the Cases of the highest nature, even of Life and Death. Sir, our Forefathers thought not good to intrust their Lives nor Liberties with any one Estate alone, they thought with a multitude of Councillors there was most safety; and therefore I hope we shall be very cautious how we make a president in the Case. And I am the more earnest in moving you herein, because I am very confident that no president can be offer'd to make good, that there was ever any thing declared Treason in Parliament, which was not Felony by some express known Law before. And I hope we shall be so careful of our selves and our Posterity, as not to go about to make a breach upon the Constitution of the Government in this particular, but rather make the Impeachment only for high Crimes and Misdemeanors.

Mr. Speaker,

Sir *F. W.* Sir, I cannot agree with that honorable Member that spoke last, as to his notion that the Parliament cannot declare any thing to be Treason, which was not before Felony by some

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known Law, the Statute of 25 *Edw.* 3. leaves the power at large to Parliaments without any such restriction. And I am of opinion, that any thing that tends to the Destruction or Alteration of the Government, hath always been, and ought to be declared in Parliament, Treason, if brought there to be judged. *The Parliament doth not in this make new Crimes, and then condemn them; but only declares that to be a Crime which was so before, and wanted nothing but Condemnation.* And it may consist with the prudence of this House, as well to be careful how to weaken these Laws and Customs which tend so much to the preservation of the Government, as how to increase any that may tend to the destruction of any one man, by multiplying Presidents for chastizing of Treason; the Crimes for which *Trespass* and the rest at that time were impeached, were not *Felony* by any known Law, and yet they were condemned in Parliament. *Empton* and *Dudley* were accused in general, for endeavouring to subvert the Government, which being in general words, was not *Felony* by any known Law, yet the Judges having recourse to Parliament, they were condemned. The Articles against *Finch*, *Berkley*, and the rest, were all for High Treason, and the matter contained in their Articles amounted to no more than what is now contained in this. And there is so little weight in the Cases that have been offered against this, that, I think, they are offered rather for ornament than argument. *The Chancellor is the keeper of the Kings Conscience, and the Judges of his Coronation-Oath.* As they are in great Places, and have a great Power, so they ought to be the more careful how they behave themselves. And as they have

have greater Incouragements, so to be subject to more severe Chastisements than others, the publick being more concerned in their actions; and therefore the custom of Parliaments hath made that Treason in them which is not so in other persons. *The words of Judges and Privy-Councillors in some cases are Overt-Acts of themselves.* I think it will become the wisdom of the Nation, to make all the defence and provision they can, against the corrupt doings of men in such places. And I do not see what danger can arise to our Posterities by such proceedings. Is it not with the Parliament we intrust this power? Who can imagine that a Parliament can ever be so constituted, as not to be carefully concerned in their proceedings as to Life and Death; and only to concern themselves therein, when some extraordinary exigences in which the Government is much concerned requires it? What man would desire to live after he was thought worthy of death by such an Assembly? And notwithstanding what hath been said to extenuate the Crimes mentioned in these Articles, I think, *the Order that was made in the Kings Bench about Printing, by the Judges, was taking on them a Legislative power, which hath formerly been judged Treason:* And I think we live now in as dangerous times as ever, *and under as great a necessity to have a care of the mischiefs that may happen to the Nation by ill Judges, as ever.* And I see no reason to doubt our being able to make good these Articles; and therefore I pray that the Articles may be ingrossed as they arc.

Mr. Speaker,

H. P. Sir, I agree that it will become this House very well, to be very cautious how they make Pre-

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sidents in cases of Treason, which are the *Sheet-Anchors* of Life and Death : as also how to weaken Parliamentary proceedings, that are necessary to preserve the Government. And I hope that nothing but the true merits of the Cause will lead us in a matter of so great importance, and neither Wit nor Oratory, nor any forced explanation of the Laws; I see it agreed by all, that Parliaments have a power of declaring Treason. The question is, which is most customary and securest, to have it done by Bill, that so King, Lords, and Commons may joyn therein; or whether by an Impeachment from the Commons, the Lords being only the Judges; or whether any thing ought or can be declared *Treason* by Parliament, which was not *Felony* by some known Law before.

Sir, I am of opinion that it is safest and most agreeable to the policy of this Government, that the declaring of any thing Treason in Parliament should be by Bill, that King, Lords, and Commons may joyn therein, that so such a precious thing as the life of the Subject should have the greatest security imaginable. However it is not to be doubted, but it hath been practised otherways, and that many persons have been Condemned in Parliament upon Impeachments from the Commons for facts which were not *Treason* by any known Law. And the reason may be, thereby to prevent the dangers that might arise from some Ministers of State growing so great with the King, as that they should be able to secure him from ever giving his consent to a Bill. In such a case, by giving ill Counsel and other secret courtes, (happily as far as reason, yet not known by any Law,) they would be secure from punishment, if this way of proceeding against such

such a person where the Kings concurrence is not necessary, were not allowed of. And the preserving of this right, is so far from being contrary to the wisdom of our Ancestors, that it is very agreeable to all their proceeding in the constitution of this Government, in order to ballance it the better, and preserve it against the designs of great ill men. And as to the other Objection, whether the Parliament can declare any thing *Treason* that was not *Felony* before by some known Law? I am quite of another opinion, and do believe the practice hath been otherwise; the *Judges* in *Rich.* the 2d.'s time were condemn'd for giving extrajudicial Opinions, which, I think, was not *Felony* by any Statute-law. A Knight of *Cheshire* was condemn'd in Parliament, for conspiring the death of the King's Uncle. An Earl of *Northumberland*, for giving Liveries to so many persons as were judg'd a little Army. And many other cases which I have read of in which persons have been condemn'd in Parliament, when their Crimes were not *Felony* by any known Law. But I do not take any delight in ripping up old Statutes or Precedents about Treasons. I am forry the misfortunes of our times should make it now necessary. But if the Parliament, as I conclude, have often declared such things as these *Treason*, and the Commons have impeach'd persons guilty of such Crimes, for High *Treason*, I see no just objection why these Articles should not go up as they are drawn: For notwithstanding what hath been said to mitigate the crimes contained in these Articles, I am of opinion that the Order made in the Kings Bench about *Printing*; their *Warrants* for *seizing* of *Books*, their *dismissing* of

of Grand-Juries, doth tend to the Subversion of the Government, and hath been and ever ought to be, in Judges, judged Treason. And therefore, that it cannot consist with the prudence of this House, nor the security of the Nation, that this person should be impeached of less than High-treason. And therefore I move you, that the Articles may be engrossed.

Mr. Speaker,

P. F. Sir, we are not going about to declare any thing Treason, but to offer our Articles, and leave it to the Lords; therefore most of these Arguments would be more proper there: for we only Impach, they are to be the Judges, whether the matter be Treason or no. It is true, we ought to be cautious what we do in it, because it is not proper that this House should impeach a man for Treason, without having good grounds for it. But is not the *Order about Printing a kind of an Act of State, to serve instead of a Law*? Is not the use of Grand-Juries a very essential part of this Government? And is not the *dismissing of them, as this Judge did, a way to render them useless*? Are not his *Warrants to seize Books and Papers Arbitrary*, and doth not all *tend to the Subversion of the Government*? And what better grounds should we have for our proceedings? I think the Articles are well drawn, and ought to be engrossed as they are.

Mr. Speaker,

Sir R. T. Sir, I cannot admit that Parliaments, by Impachments before the Lords, can make any thing Treason, but only such matters as were Treason by Common-law, before the Statute of *Edward the Third*. And, I think, we ought to be

be so cautious of our Posterities, as not to press for such Prejudents, lest you put into the hands of the Lords a Power, for which we may have cause to repent hereafter, but never get back again: For the Lords do not use to part with those Powers they once get. There are Prejudents by which it appears, that the Lords have attempted to make declarative Treasons alone, without any Impeachment from the Commons. Have a care how you give them encouragement to proceed therein; better keep to the other way of making no declarative Treasons but by Bill.

The Articles were read, and Question put,

Resolved, That the said Sir Will. Scroggs be impeached upon the said Articles, and that the said Articles be ingrossed, and carried up to the Lords by my Lord Cavendish.

January 6. 1681.

Col. Birch made a Report of the Informations relating to the *Irish-Plot*, and several *Irish* Witnesses were examined. And a Message from the Lords about the *Irish-Plot* read.

Resolved, By the Lords Spiritual and Temporal in Parliament assembled, that they do declare, that they are fully satisfied, that there now is, and for divers years last past hath been, a horrid and treasonable Plot contrived and carried on, by those of the *Popish* Religion in Ireland, for Massacring the English, and subverting the Protestant Religion, and the ancient established Government of that Kingdom, to which their Lordships desire the concurrence of this House.

Mr. Speaker,

Sir W. J. *St. John*, the Evidence which you have heard at the Bar, and the report which hath been read, as to the *Popish-plot* in Ireland, is not only a plain discovery of the dangerous and deplorable condition of the Protestants in Ireland, but a great confirmation of what Dr. *Oates* and the rest of the Witnesses have said as to the Plot here. So that now no man can have any excuse for not believing it, but such as are misled by others who know it too well, because they are in it. I cannot but observe what a coherence and agreement there is in the carrying on of these two Plots.

Plots. *Fitz-Gerrard* tells you, that in 1662. several Officers were sent into *France* to get money for carrying on of the Plot. And was it not in 1662, that we begun here with the *Toleration*, which gave the first appearance of Popery to the Parliament? In 1672. we broke the *Triple-League*, and entered into a strange correspondence with *France*; then they actually lifted and armed a great number of Soldiers, which were first to go into *France*, and then to come back to carry on the Plot. In 75, and 76. all the *Clergy* in *Ireland*, said the Duke of *York* should be King in 78. And *Fitz-Gerrard* deposeth, That he then told the same to several persons, as had since proved it before Sir *John Davis* Secretary of State in *Ireland*. And doth it not appear by the Witnesses here, that they intended about that time to cut off the King? It appears, that they intended to Massacre most of the Protestants, and to conquer others; and that this they hoped to do by assistance expected from *France*, of Men and Arms, as soon as that King should be disengaged of the War he was engaged in with the Confederates. And doth not this agree not only with Dr. *Oates* his Discovery, but *France's* too? And did we not, after we had assisted the *French* with about 12000 men, most *Irish*, and helped them in the carrying on of that War, send Plenipotentiaries to *Nimwegen*, in order to make up a general Peace, that so he might be at leisure about that time that the said party expected his assistance, and that the *Clergy* had told *Fitz-Gerrard*, that the Duke should be King. Upon the Discovery of the *English-Plot*, the King, Lords, and Commons, declared it a horrid, damnable, execrable Plot: now upon the discovery

of this *Irish Plot*, the Lords Spiritual and Temporal have declared the same of it. But to what purpose I know not, unless it be to discover the strength of the Popish party in that, after you know your danger, and have declared it in Parliament; yet that their Interest is strong enough to baffle ours, and to prevent all manner of remedies or future security; nay, and to make you eat your own Declarations up again, and be ashamed (if possible) that ever you made such. This hath been the effect of the Declarations so often made in *Parliament as to the English-plot*: And I am afraid, that this *Declaration* that hath been read, is all that will be done for the security of the Protestants in Ireland. For notwithstanding all these Discoveries, which are the greatest that ever were, in a case of so great a Conspiracy, such is their influence and authority, that they have not only saved their own party from being any way weakened, (unless by those few that have been hanged) but have gained a great number of the Protestants to join and contribute as much to the carrying on of their design as they can desire. The truth is, Sir, England can never be destroyed but by it self; and the Papists well know this must be done by dividing us. If ever there were a Popish Miracle, it is in this, that seeing the Knife is so near our Throats, they should be able so to insatiate us, that instead of making any preparation to prevent them, we court all manner of Divisions and Animosities amongst our selves, and cherish every project of that party that tends to our Ruine, with as much earnestness as if it tended to our safety. But though this Witchcraft of theirs hath had a strange power with people without doors, yet I hope it will ne-

ver have any operation here to prevent us from doing our endeavours. And therefore seeing by this discovery we find again that all the Plot centers in the Duke of York, let us, after we have agreed to what the Lords have sent down, make a Declaration to this purpose: *That the Duke of York's being a Papist, and the expectation which that party have of his coming such to the Crown, hath given the greatest incouragement to the Popish Plot in Ireland, as well as here.*

Mr. Speaker,

Sir H. C. Sir, as the the Irish Plot doth agree with the English Plot in several circumstances before it broke out, so afterwards in the prosecution of it. Were not the Witnesses *infamiated* and discouraged, or their Evidence consumed or turned into *Ridicule*? and was not the same done here? Were not some of them, to prevent their Evidence, *shipt off* and never heard of more; and others strangely tormented? and doth not that in some measure answer with the death of Sir Edmund-bury Godfrey? Did not Sir John Davis and others in great Offices there, do all that they could to stifle the discovery of the Plot? and have not many of our Ministers done the same here? Were there not strange endeavours used to put off the Trials of such as were accused about the Plot, or to quit them when they came to a Trial? and have not the same endeavours been used here as to the Lords in the Tower, and the Trial of *Wakeman*, and many others? And after all these Discoveries, what have we done, or what are we doing to secure our selves against this party? Truly, Sir, I know not of any thing. But on the other hand can tell you, that great things are doing to carry on the Plot. I see that

that in order to discover the mighty power of that party, two Parliaments have already been dissolved without doing any thing against Popery, and I am afraid that this will have no better success. And in the intervals of Parliaments, I observe, *That all heads are at work to persuade the people out of all the particulars of the Plot, and allows them only a general notion, that the Papists would bring in their Religion if they could, but without endeavour to persuade them that it is impossible:* That so they need not be afraid of it; and that the fears and jealousies of Popery are created by ill men, that have a design upon the Government, or Fanatics that have a design upon the Church, and that all will end in *Forty One*. I observe also, that the Witnesses that have come in to discover the Plot, are more and more defamed and discouraged; and all others in favour of Popery, very much checked: And will not such proceedings, and such opinions as these, if well infused into the people, be serviceable to that party, not only by dividing thereby the Protestant Interest, but by *secreting to themselves this party so misled, to give them assistance in the disguise they will assume;* until they have conquer'd any party that may oppose them, and be able to stand on their own bottom? And may they not go a great way to mislead a great many credulous persons, especially if Parliaments be kept off, and the *Press and the Pulpit too* (though I hope better) *should be directed that way?* And as these Opinions will give a great encouragement and strengthening to that party for the carrying on of their Plot, and for all manner of new contrivances, so will the entertainment the discoverers of the last Plot have met with, secure the Papists of ever ha-

ving more discoveries made of what they are trans-acting. And will not the course that is taken of putting into all Offices either of trust or profit, no persons but such who they find will thus be misled either by their Ambition, because *they see it is the only way to preferment*; or because they have not understanding to see these designs at a distance, be a great help to them also. I think, Sir, the carrying on of these things thus by such great Authority, after the discovery of such a Plot, and the contrary endeavours of three Parliaments, are great things to encourage the going on of the Plot, after they have first reduced the State of Popery to the same condition it was in before the Plot broke out; that so it may creep on upon us again, as they shall think may be most for their advantage. And although I will not undertake to fathom the depth of Divine Providence, yet I am afraid, if we should grow careless to secure our selves after such supernatural helps, we may therein provoke God Almighty to be angry with us. And because amongst the inventions that are afoot, there is much noise made about the Town of *Forty One*, I cannot but observe, that there is something in the Evidence of the *Iresh* Plot that agrees with *Forty One*. *Then there was a great Massacre in Ireland, as now intended: I have some reason to remember, with sorrow and indignation the miseries of Forty One; but I am afraid the discourse of those times, is in this conjunction made use of to bring on the like miseries again upon us, and not in order to prevent them; because I find, that those that talk most of preventing the Effect, carry on the Cause as much as they can; which to me is a contradiction. I am of opinion that the endeavours that were used before Forty One, to possess the people*

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against Parliament, and of the Kings power to raise Money without Parliament, was the great cause of our Miseries in Forty One. And I know no good reason why we should not suspect those who carry on the same designs now (though with some little Variation) should not endeavour to bring about some alteration in the Government again as well as those, that shew it in nothing but opposing of Popery; though the great power that party have in representing matters, have made it to be dangerous to the State. But I see we are like to have little Assistance to prevent the carrying on of these designs in these shapes, they must have their course. I do agree that we may do well to add to this Resolution of the Lords, That the Duke's being a Papist, and their hopes of his coming such to the Crown, hath given the greatest hopes and encouragement to the Popish Plot in Ireland, as well as in this Kingdom. And if the Lords Spiritual and Temporal should agree to it, I hope we may in time do something against Popery: For it would be very hard, if after they have agreed in the Cause, they should deny to join with us in the Remedy. And seeing the Bishops have agreed there is a Popish Plot in Ireland, I hope the Clergy will believe there hath been one in England, and consider the danger of a Popish Successor and Popish King, and preach and pray against it: And then I shall conclude they are in good earnest against Popery, and that we should soon be able to Vanquish this common Enemy. And then I think it would be the interest of the Nation to settle matters relating to the Church, not only so as to stand against all Opposers, but to be more beautiful and triumphant than ever.

Mr. Speaker,

B. H. Sir, *Solomon saith, There is no new thing under the Sun* ; but whoever will but consider what great Endeavours have been used to stifle these Plots, and how few to prevent the like for the future, or the danger arising from them, must conclude, that the like was never done in such a case before. All the Plots center in the *Duke* ; What is done with him ? He is sent into *Scotland* to make an interest there, that so the Government of that Kingdom with an Army of 22000 men already settled, and what more may be got, may be as ready at his command as the strength of this Nation is here. A strange way of weakening an Enemy ! And doth the *Duke's* interest go backward here in his absence ? No, all those about the King are of his placing : And though we think him in *Scotland*, yet he is here too, as if there were Transubstantiation in the case, I do not understand how the great noise of *Forty One* that is now made, can tend to the securing us against Popery ; but the fear of that (which I am sure I have a great deal of reason to remember) may several ways be used for the bringing in of Popery, and I have the more reason to fear so, because I am informed that the *Justice of Peace who hath writ so many Books to fill the peoples heads with Notions about Forty One, is now fled, because of Evidence given before the Lords, of his being a Papist.* I wish we could do something against the common Enemy, whose power is so great as bids defiance to us ; and then I shall be ready to contribute my poor endeavours as earnestly against *Forty One-men*, if they be not so high as the Moon : for I must confess, as yet I cannot find them out here below. And if these Church-

men would but join with us in ridding us of Popery, I would also join in preventing their fears of Phanaticks. Sir, I think you have a very good Motion made for a good Addition to the Lords Vote, as to the Duke of York's being the cause of the Irish Plot also: I pray let it be added, that so we may see whether the Bishops will do any thing against the Duke or no; for if they should, happily the Clergy may come in time to consider the danger of a Popish Successor and Popish King, and preach and pray against it, as much as against Fanaticks. If not, and the Doctrine be true which I have often heard, that there is no distinction between the Duke's interest and Popish interest, I am afraid we are in a bad condition.

Resolved, That this House doth agree with the Lords, in the said Vote with the addition of these words, That the Duke of York's being a Papist, and the expectation of his coming to the Crown, hath given the greatest countenance and encouragement thereto, as well as to the horrid Popish plot in this Kingdom of England.

A Motion being made and seconded, for the impeaching of the Earl of Tyrone,

Resolved, That Rich. Poure, Earl of Tyrone in the Kingdom of Ireland, be impeached of High Treason.

Ordered, That the Lord Dunsy go up to the Bar of the Lords, and impeach him of High-Treason in the name of this House and of all the Commons of England, and do pray that he may be committed to safe custody,

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January 7. 1681.

*His Majesties Message, sent on Tuesday last,
was read.*

His Majesties Gracious Message to the Commons in Parliament, Jan. 4. 1681^{re}

CHARLES R.

HIS Majesty receiv'd the Address of this House with all the disposition They could wish, to comply with Their reasonable Desires; but upon perusing it, He is sorry to see Their Thoughts so wholly fix'd upon the Bill of Exclusion, as to determine that all other Remedies for the suppressing of Popery will be ineffectual: His Majesty is confirm'd in his Opinion against that Bill by the Judgment of the House of Lords, who reject'd it. He therefore thinks their remains nothing more for Him to say in answer to the Address of this House, but to recommend to Them, the Consideration of all other Means for the Preservation of the Protestant Religion, in which they have no reason to doubt of his concurrence, whenever they shall be presented to Him in a Parliamentary Way; And that They would consider the present State of the Kingdom, as well as the Condition of Christendom, in such a manner as may enable Him to preserve Tangier, and secure His Affairs abroad, and the Peace and Settlement at home.

Mr. Speaker,

Hi R. Sir, his Majesty is pleas'd to say in his
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Message, That he is confirm'd in his Opinion against the Exclusion-bill, by the Judgment of the House of Lords; and that he is sorry to see that this House hath such an Opinion of it, as to conclude all other ways and means insufficient. He is also pleas'd to say, that we have no reason to doubt his Concurrence in any other means that shall tend to the preservation of the Protestant Religion, when presented him in a Parliamentary Way; which I do not doubt but he will comply with, whenever he shall be pleas'd to follow the Dictates of his own Judgment. But so long as there are so many persons about him, who have publicly declared for the *Duke's* interest, we have good reason to doubt, that we shall hardly obtain any thing for the security of the Protestant Religion. We well know how many in the House of Lords came to their Honours, and by whose interest; and it is not strange, that those that are as Servants should obey their Master: but it is strange, that those who have prevail'd with the King to reject this Bill, if Protestants should be so unconcern'd in the welfare of the Protestant Religion, as *not to offer what Ex-pedients they have to secure it any other way*; especially seeing the last Parliament as well as this, found it a Task too hard for them. But to reject the Bill which we propose, and to offer no other to serve instead thereof, though they have had *two years time* for consideration, is to me a plain demonstration, that nothing must be had against Popery. That these Difficulties should be put upon us, and our Dangers thus prolonged in favour of the *Duke*, after such full Evidence that the Plot centers all in him, and that the original of our Miseries is from him, when the immediate Safety of the King and

and our Lives and Religion is concern'd on the other hand ; is a plain discovery of the great power of the Popish interest, and of the low ebb of the Protestant ; and that it is impossible that any thing can be granted us in favour of the Protestant Religion, as long as those that are so much for the Duke's interest, are about the King. And therefore seeing we are not like to do any thing by Bill, that those that sent us here may see we have done what we can, let us make such *Votes* as may be serviceable to our Country, viz. 1. *That the Kings person nor Protestant Religion, cannot be secured any way, without the Exclusion-bill.* 2. *That we can give no Money, without endangering the Kings person and Protestant Religion, untill we have that Bill.* And, 3. *that being supplies for all publick money ought to come from this House, there being no other way to supply the King with the love of his people as well as with money, let us pass a Vote to prevent Anticipations on the Revenue and other Supplies.* And because I believe things are come to a point, and that there are them that have advis'd the dissolution of this Parliament, and the Nation can never be happy as long as we have such Councillors, let us, while we may, pass our Censures on such persons ; for only God knows when we shall be permitted to sit here again.

Mr. Speaker,

R. M. Sir, the truth is, we committed a great Error in the beginning of this Session ; when we went about to look into the Popish Plot, we went into the Tower, whereas we should have gone to the Court ; for it is plain, that the Duke's Friends which are there, do still carry on the Plot against the Protestant Religion, as much as ever the Lord Bellasis, Powis, or any of those Lords in the Tower

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did

did. And we may reasonably conclude by the little success we have had against Popery this Session, that until we can remove that Interest from about the King, we take pains to no purpose.

Mr. Speaker.

Sir H. C. Sir, I am ready to agree in those Votes that were moved: For it appears plain to me, that we are not like to have any Laws against Popery; for the truth is, the Popish interest is too strong for us. If there were any intent that we should have the Protestant Religion secured any other way, *it is strange that those who advise the King to oppose our way, should not at the same time prevail with him to propose his.* I am afraid that this Advice proceeds from those that think the King nor Kingdom is not in danger of Popery, because they are of opinion, that Popery cannot hurt the King nor Kingdom; for otherwise they might plainly see it is like to have a Contest with us: and that it would be convenient it should be prevented, and be induced thereby to offer some Expedient, if there be any. And as we may conclude our selves an unhappy people upon these accounts, so also in that the House of Lords, after they had spent so much time about Expedients, and found them insufficient, that they should afterwards reject this Bill, without any further care how to preserve the Protestant Religion; at least, not by sending anything to this House, though we have heard from them of Mr. Seymour's Articles, and some trivial matters. And also in that some worthy Members, who have the honour to serve in great places about his Majesty, and have opposed this Bill, seeing this House in this great *Dilemma* should not offer to do the Nation and this House that kindness as to oppose them. If there be any such worthy

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Member that have any such *Expedient*, I hope he will stand up, and then I will presently sit down.

After a little pause, and no body offering to stand up,

The truth is, Sir, every day doth more and more discover our danger, and demonstrate, that this of *Expedients* is put upon us, in hopes that we should have offered at some Bill; of which, advantage might be taken to represent us as persons not well-affected to the Government; that so, if possible; even, the people, as well as the *King*, might be brought out of love with Parliaments. I do remember, that after the great endeavours which some *Ministers* of State had used to *bribe* the late long *Parliament*, and had come so near to perfection, as that the Nation was in a manner saved but by two or three Votes, their dissolution was much admired at; and it was most mens businels to cast about to find out the reason of it: Amongst other things, it was concluded, That if the *Popish* interest had any hand in it (as believed) that it was out of hopes, that they should thereby have opportunity to make the *King* out of love with all Parliaments, and so occasion some difference between him and his people. The little success which the last *Parliament* had, the improbability of this, and the stumbling-blocks that are laid for the next, make me afraid, that the long *Parliament* was dissolved for this reason: I have heard that the *Jesuits* have at this time a great stroke in the management of all the affairs of *Europe*, and that it is by their advice and assistance, that the King of *France* goeth on so triumphantly, because they design to make him *Universal Monarch*, and that in order theret

are true to him, though false to all the world besides. How far we have contributed already to the King of *France* his Greatness, and how this breaking off Parliaments, and keeping this Nation in this unsettled condition, may conduce to his raising of *Flanders* and *Holland*, and his other designs, all here may judge : And how it agrees with the Report of the *Jesuits* having the management of all the Affairs of *Europe* : And how this can be prevented, without the *Exclusion-bill*, is a paradox to me. For I do still conclude, that so long as there is a *Popish Successor*, there will be a *Popish interest*, and that as long as there is a *Popish interest* and fears of a *Popish* King, the Nation will be divided, and there will be constant fears and jealousies not only here at home, but with our Allies abroad ; which will frustrate all endeavours to oppose the *French* designs, because there can be no confidence between the King and his people. And this makes me conclude, we are under great difficulties ; if we give money, we have reason to fear it may be employed to our destruction ; if we do not, if *Flanders* or *Holland* should be lost, great endeavours will be used to lay it at our doors, though we have given such heavy Assurances to his Majesty of our readiness to supply him with money for the support of it. And how we shall extricate our selves out of these difficulties, I know not.

Sir, I have troubled you the longer, and with the more earnestness, because I am doubtful whether I may ever have another opportunity to speak in this place. Things are so out of order, and such prevalent endeavours are used to unsettle them more, that I am afraid, not only of our Religion, but of the very Government and being of the Eng-

lish Nation: For if these things should occasion blood, while the *French* is so powerful, he may easily have the casting voice; and without that, only God knows what may be the end of such confusions as some men endeavour to occasion. All projects of settling the affairs of this Nation without Parliaments, have hitherto proved unsuccessful, and been attended with ill consequences. I have a great deal of reason to be sensible of the *miserics of 41. and therefore am sorry to see such dissolutions of Parliaments without success*. I am afraid there are *Projectors* again afoot that are for altering the Government, as to the use of Parliaments: I judge so by their proceedings, because I am of opinion, that *Pobery must destroy the use of Parliaments*, before it can be settled in this Nation. Seeing we are not like to have any Acts pass this Session that may do the Nation any good, I think you have been well moved to do what service you can by your Votes.

Mr. Speaker,

L. H. Sir, it is not only very strange, but, if I be not mistaken, contrary to the *custom of Parliaments*, that after the Lords have pass a Negative upon a *Bill*, that we should still press for it, and declare our selves resolved not to be satisfied without it, though it be well known that the King doth also intend to pass his Negative upon it; and that it cannot be had this Session, unless his Majesty be pleased to Prorogue the House of purpose to give an opportunity to go on with it again, which is very unlikely, if the contents of his Speeches and Messages be considered, seeing the Lords have confirmed him in his opinion of it. And therefore I should think it were much better to follow

his Majesties directions in his Message, and try some other way, which would be a great confirmation of our readines to obey his Majesty, in following his advice, which, I believe, is the best way to prevent any further disagreement, that so this Parliament may have a happy conclusion.

Mr. Speaker,

Ld. C. Sir, I am fully perswaded, that we cannot be secure neither of our Religion nor Peace and Quietness, without this *Bill*; yet seeing we are not like to have it at this time, I am for going on with those other Bills that are afoot, that we may try if we can get them. Seeing we cannot do all the good we would, let us endeavour to do all the good we can. But I am ready to agree in the Vote that was proposed, That it is the opinion of this House, that neither the Kings person nor Protestant Religion can be secured any other way, provided it be not intended to bind the House from trying what may be done by other Laws, lest advantage should be taken thereof to break this Parliament, which I tremble to think of, because it will be attended with a great ruine to our affairs both abroad and at home.

Mr. Speaker,

Sir R. M. Sir, being the House is inclinable to hear of *Expedients*, I will crave leave to offer you one. In case the *Duke* should out-live the *King*, I think, if by an Act of Parliament the Prince of *Orange* were appointed to administer the Government jointly with him, with such powers and limitations as might be thought convenient upon a serious Debate, it might give great satisfaction, and probably secure the Protestant Religion.

Mr.

Mr. Speaker,

Sir W. J. Sir, you have had several Propositions made you, and the way to come to some speedy resolution, is not to debate too many together, but to keep close to that to which most have spoken; which if I be not mistaken, is that which relates to the *Duke's Bill*, which some have opposed, because of the difficulties arising from the *Bill*, and would rather have you go into a Committee and treat of Expedients. But I think it below the gravity of the House to be put out of their method, unless some Expedients were proposed. But notwithstanding all the provocations that have been given, we cannot hear of any Expedients, only one which hardly deserves any further consideration in a Committee; because *Crowned heads* nor Lovers, do not willingly allow of Rivals, but will be uneasy till they be rid of them. And I am afraid all other Expedients will be liable to as strong Objections; and that therefore it is that they are not proposed, though they have been so often discoursed of. If any person would offer any that had any appearance of giving satisfaction, I should be ready to give my voice for going into a Committee to debate them. But I know not why the House should lose that time, without some Expedient be first offered, If there could be any *Expedition found out, which were likely, really, and effectually to prejudice the Duke's Interest, why should not the same Argument arise against them as against the Exclusion Bill?* Why would not any such Bill be also against natural Justice, the Oath of Allegiance, a severe Condemnation, and not good in Law, but liable to occasion a Civil War. For I am not apt to think this great contest is not all a-

bout an empty Name; and if not, then the same Arguments will hold against any other Bill that will be sufficient to keep him from the Government. If some such *Bill* or *Bills* could be contrived, as against the Bill of Exclusion; But the truth is, there can be no other Bill that can serve us in this case, because all other *Bills* will leave us in that miserable condition of *opposing our lawful King*, and all opposition in such a case would be liable to be construed a *Rebellion*. All other Bills in this case would be no more for the security of our Religion, than a great many Leases, Releases, and other Writings, are in many cases of Estates, without Fines and Recoveries. However, I am against the Vote that was proposed, That the *Duke's* being a *Papist* hath rendered him incapable of the Crown: for that were to take on us a Legislative power; but let your Question be, that it is the opinion of this House, that the *Kings* Person, nor Protestant Religion, cannot be secure without that Bill. That so the proceedings of the House may be justified in demanding that Bill hereafter, though we should in the mean time go on with any other Bills.

Mr. Speaker,

D. F. Sir, I shall not trouble you with any Argument, whether the Protestant Religion can be preserved under a *Papish King*; or whether an *Act of Exclusion* will be a good Act or no, or whether the *Exclusion-bill* alone, if it should be granted, would be sufficient, or what others we should need; but the Question is at present, Whether, seeing we cannot have this Bill, we shall not aim at something else, that so, if possible, we may prevent the breaking up of this Parliament, without any effect, as to the great things they were summoned

moned for, on which I cannot reflect without being much concerned ; and I am afraid, that it will be the consequence of persisting for this *Bill*. I cannot be perswaded, notwithstanding all that hath been said, but that there are other Bills that may attain our end, or at least do us some good. And we have no certain demonstration that this *Bill*, if we should obtain it, will infallibly do what is desired. The Acts made in *Queen Elizabeth's* days, did not suppress that party totally : though the *Queen of Scots* was cut off, yet that interest continued, and even to this day remains, and so it may probably though we should get this Bill ; and therefore why should we stand so much in our own light, as not to take what we can get. The Bill of Banishment may be of great use, and some Bills to limit the Power of such a Prince, by putting the power into Parliaments and Privy-Counsellors ; why should we lose all by being so eager for that we are never like to get. And therefore, I humbly conceive we may do better to go on with such other Bills as may be thought convenient, and not struggle nor persist for the obtaining of this.

Mr. Speaker,

J. B. Sir, I am not for adventuring my life upon Rheticrick, which is all I can find there is in the discourses that are made for Expedients. We all know that a little thing altered the Government in *France*, and reduced the people of that Kingdom to slavery : Pray let us have a care that, for want of a little short Act, we be not reduced to Slavery and Popery too. Will not all the Expedients that have been talked of, or can be imagined, leave us to *contest* with our *lawful Prince* ; and that

that assistance which he is well assured of, not only from the Papists here, but in *Ireland*, and from *France*, and *Scotland*, I am afraid enough to make it a measuring cast. And is the Protestant Interest so low, that though our dangers be so great, that instead of a *Sword* to defend our selves, we must be content with a *Sheath*. I am not for cheating those that sent me here. I think it much more for the interest of the Nation, that we should have no Laws, than such as will but *trepan* us, by sailing us like rotten Crutches when we have occasion to depend on them. I had rather lose my Life and my Religion, because I were not able to defend it, than be scoll'd out of it by depending on such Laws. I take it for granted, that seeing the Exclusion-bill is thought too much for us, and such great endeavours are used to preserve the strength and interest of that party, that we *must either submit, or defend our Religion by a sharp contest*; and therefore I hope we shall not depend on Laws that will tend to weaken us. I am confident, that if some Ministers of State did not stand as Clouds between the King and us, we should have redress. For how can it consist with his goodness or *Coronation-Oath*, that for the interest of *one man*, the Bodies and Souls of the rest of his Subjects should be in such danger of perishing as they are in case of his Death, if a *Popish King* should succeed, and such *Popish Counsellors, Judges, Justices*, and *Bishops* too, as we had in *Queen Maries* days. For it cannot be doubted, but that *those that will be so Loyal as to bring him in*, will be so Loyal, as it will be called, to obey him in *all things which may be for his interest*. And the same argument which *Queen Mary* used, will supply the

defect of all Laws, That the Execution of all Ecclesiastical Laws may be suspended by force, but could never be repealed by the power of Parliaments; and therefore commanded, that notwithstanding all Laws to the contrary, they should be executed as in the beginning of her Fathers Reign. The great endeavours that are used to ridicule the Plot, *arraign Parliaments*, and divide the Protestant Interest, is a full confirmation to me, that the Plot goeth on as much as ever. And how can it be otherways, unless we can get the King of our side, *that so he may be more for us than he is for the Duke*, without which it is impossible that the Protestant Interest can stand long. In order to do something, I am ready to agree in the Votes that have been made.

Mr. Speaker,

G. V. Sir, it is clear to me, that all Expedients without this Bill cannot signifie any thing for our defence against Popery. All our difficulty will be, to satisfie his Majesty, that nothing else can save his people from the Popish Bondage. And if we could do that, I do not doubt but he will rather pass the Bill, then let Three Nations perish. The King doth now rely on the judgment of the Lords in the matter, yet happily will find upon an Information, that he hath no good ground so to do. For, I believe, *if he would ask the Lords why they were of that opinion, many of them would tell him, because he was of that opinion, and because they were awed by his presence.* And seeing the Lords are changed from the time of the throwing out of that Bill, from 33 to 55; so there may probably change more against the Bill comes to them again. And I am confident will do so when they have consulted their interest, and have found that all other ways

to secure the Protestant Religion, are either impossible or impracticable. At least, I am confident they will not throw it out again, without a Conference. And it is my opinion, there wants nothing but a Conference to have an agreement with the Lords, in the mean time, that they may have occasion to consider better of it, let us by a Vote declare our resolution to stick to the Bill.

Mr. Speaker,

Sir W. P. Sir, by the Debate which you have had about *Expedients*, it plainly appears, that the Popish Interest is so well fixt, that we are not like to obtain any thing against it, that will do us any good. And it is not strange, that it should meet with great opposition. For we may reasonably conclude, that those who had the power to instil those principles into the Royal Family, have not been negligent to improve their interest, to secure those advantages they have long hop'd for, and expected, from such a proselyte. And therefore those Arguments which some worthy Members have used, as to the improbability that ever a *Popish* King should attempt to change our Religion, as not consisting with his interest, are to me very preposterous, and a great demonstration of the influence of that party, in being able to broach such opinions as are so useful to bring in that Religion. For my part, I am of a different judgment, and do believe, that a *Popish* Head on a *Protestant* Body, would be such a *Monster in nature*, as would neither be fit to preserve, or be preserved, and that therefore it would as naturally follow, as night follows day; *that either the Head will change the Body, or the Body the Head.* Have we not already had sufficient experience, what a miserable thing it is for the King to be jealous of his

his people, or the people of their Prince? Can it be imagined that there can be a *Popish King* in this Nation, without occasioning a constant noise of Plots and Popery, and that such reports grounded on the *Kings* inclinations, will not occasion such a fermentation in the people, as will end in misery? Or if it should prove otherways, that by such arts as may probably then be set on foot, the people should be lulled into a security. *Can we think, that the Papists who have been so many ages at work for the opportunity, should not take advantage of that security to fetter us with their Popish Bondage?* We may as well think that they will all then turn Protestants, or be true to the Protestant interest. No, Sir, their great design of having a *Popish Successor*, was in order to bring in *Popery*. And we may conclude, they will heartily and earnestly pursue it, when ever they shall have a *Popish King*. And therefore I think it will never become the prudence of this House, to desist from endeavouring to get the *Exclusion Bill*, which is the onely remedy that can be in this case, that we may have a right to defend our selves and our Religion against a *Popish Successor*, without which this Nation will be in time ruin'd. And therefore I humbly Move you, that we pass those Votes that have been proposed.

Mr. Speaker,

Sir F. W. Sir, I have considered this Message with that duty and respect I ought, it doth so agree with all others which His Majesty hath been pleased to send to this Parliament; that I do believe that all proceed from the same Council, and that our endeavours to prevail with his Majesty in that particular of changing Councils, hath hitherto had no effect.

effect. The King is pleased to say, that he is confirmed in his opinion as to the Bill by the House of Lords having rejected it; I admire how the King should know it in a *Parliamentary* way, so as to intimate so much to this House. Probably he might be present as he hath generally been, ever since my Lord Clifford had so great a share in the management of the affairs of this Kingdom. And how things have gone there since, we all know. I do not doubt but his Majesty takes that unparallelled trouble of attending there daily, chiefly for the good of the Protestant Religion; but I cannot but observe, that it hath had little success. *For things however have gone with so much difficulty against the Popish Party, that it may be a question whether his Royal presence, or the influence of a Popish Successor were strongest.* The Bill for Papists taking the Test, though accompanied with a great sum of Money, past with much difficulty, and so that for excluding the Lords, and not without an exception as to his *Royal Highness*: And therefore we have no great reason to admire that this about the Succession should be thrown out: And how can we expect it should be otherwise, as long as so many which sit there are in the possession of great places by the *Duke's* means, and so many others which would come into great places, but cannot be had but by his means? And how all this together makes an Interest, may easily be imagined. Sir, I do not mention these things without regret; for I know my distance, and have a great veneration for the Nobility of this Land; and I know the Lords have their freedom of Voting, and that there are many fit in the Lords House, who have all the qualifications necessary for that great Station. But to see

a Bill of this importance treated so contrary to the usual course of Parliaments, it is necessary that we should a little consider what may be the cause, in order to regulate our proceedings for future: For if nothing must go in that House against the *Duke*, I think the Protestant Religion is like to have little security from Acts. If the *Duke* had ever consulted the Books writ by his *Grandfather* or *Father*, or their Declarations in matters of Religion, he would never have brought these difficulties upon his King and Country. It is strange he should aim to get Heaven, by proceedings so contrary to what his Father attested with his blood. But though he have neglected to consult his interest, I hope we shall not neglect to consult ours in pursuing this *Bill*, seeing there is no other Remedy: though I am afraid it is a great work and may break many Parliaments, because it is so like to destroy all the Papists hopes of establishing their Religion. However I will not fear but God granting the King life, it may be obtained at last; unless the project now afoot, of representing *Parliaments* as dangerous and useless, should prevent the meeting of any more: For even the old band of Penfioners could stir their Collars, when *Papery* came barefaced before them. It is not to be admired, that seeing the Jesuits have been a hundred years at work to rive their interest, by getting a Prince of their Religion, they should struggle hard to preserve it; that so they may have those blessed effects they expect from it, which the Succession-bill only can prevent. But it is strange, that after such discoveries of the Plot here, and in *Ireland*, and the certainty of our irrecoverable danger upon the Kings death, that so many Protestants should be deluded by that party, and rather be led by

by artificial falsehoods to their own destruction, than by naked truth to joyne in that which only can save them. For Protestants to *ridicule* the Plot, and disparage the Witnesses, though their Evidence is so confirm'd, that a man may as well believe that Bread may be made Flesh by Transubstantiation, as that the danger of our Religion is not true; is as strange, as to believe, that let the Papists carry on what Plots they will for future, there will be evermore any discoveries made: But if these should, I am sure the Witnesses will deserve the censure of being mad (as was past on him that owned the burning of *London*) considering how those have been rewarded. It is plain to me, that as the King was under great difficulties arising from the Solicitations and Advices of private *Cabals*, when he put out his Declaration in *April 1679.* that so he is now, and that will never be otherwise, until he take up the same resolution again of following the advice of his Privy-Council, and great Council the Parliament: Till when, I expect no alteration in our affairs. The King being a Protestant, must be for the Protestant interest; the Duke being a Papist, as much for the Papist interest. How can it be imagined, that there can be any Union in our Councils, as long as the interest of the Counsellors are so opposite; or that any thing should pass in favour of the Protestant Religion, as long as the major part are for the Duke's interest. Such a contradiction hath for many years had strange effects already, and must have worse, until all the Kings Council be such as can be free to joyne in settling the Affairs of the Nation upon the old Protestant foundation; which will never be, until we have this Exclusion-bill. And therefore I think

you are well moved to signify so much by a Vote: And I am glad to see so many Lords Sons join therein: for I hope it may be a means to get a fair understanding with the House of Lords either now or hereafter.

Mr. Speaker,

Sir L. J. Sir, I have hearkned with great attention to the Debates you have had about this matter; and it is plain to me, that there can be no such thing as demonstration in this case, because this Exclusion-Act, if obtained, may be liable to many Objections, and probably not secure us. Why then should we be so bent upon it, seeing the great difficulties of obtaining it are so visible? For my part, I think if it should pass, it would be void of it self, and be of no force at all: for which reason; and because we are not like to get it, it is strange to me that no Arguments will prevail to aim at some other thing, that so we may get something which must be better than to have this Parliament be broken for want of our taking what we may get. For supposing the worst, that we should not get any thing that should be sufficient to prevent the *Duke's* coming to the Crown, yet we may get such Laws as may be sufficient to secure our Religion, though he should come to it. And would it not be much better to spend our time in making Laws which may tend to that purpose, which we have reason to believe will be granted, than to spend our time in pursuing that we are not like to get? Some good Laws added to what we have, and the number of people which we have in this Nation Protestants, would in my opinion be an impregnable fence against Popery. And it is no such strange thing to have a *Prince of one Religion*,
S
and

and *People of another*. The late *Duke of Hanover* was a *Papist*, yet lived in peace with his *people*, though *Lutherans*. The *King of France*, notwithstanding his *Creatnells*, permits a great proportion of his *people* to be *Hugonots*, and lives in peace with them. And seeing there is a great probability that we may do so too, and that we may have what *Laws* we will to secure our Religion to us in such a case, why should we engage our selves farther for the getting of an Act which the *King* and *Lords* have both declared against, and will never be consented to by the *King*, as we may reasonably believe, because he hath often declared, that he thinks it an unlawful Act, and that it is against his Conscience.

Mr. Speaker,

S. T. Sir, the great Character this Honourable Member bears, the great Employments he hath been in under his Majesty abroad, as well as his Education in the *Laws* of this Nation, do justly challenge, that what he saith, should be well weighed and considered, before any man should offer to contradict it. He is pleased to say, that this Act would be unlawful and invalid, if it should be obtained: And therefore, because we are not like to obtain it, and because the *Duke of Hanover*, though a *Papist*, lived in peace with *Lutherans*, and the *King of France* with *Hugonots*, that we had better spend our time in contriving *Laws* for the security of our Religion, if a *Papist* should come to the Crown, which we may get; and not in contriving *Laws* to keep him from the Crown, which we are not like to have. If this be not in plain English, the sense of his discourse, I am willing to be corrected. But, Sir, if it be, I do admire upon what

what foundation the first Arguments is grounded? I mean, those relating to the unlawfulness and invalidity of the Exclusion-bill. Was there ever any Government in this world, that had not an unlimited power lodged somewhere? or can it be possible that any Government should stand, without such a power? And why such a power should not be allowed here, which is so essential for the support of the Government, I think can only be in order (if I may say it without reflection) to have this Government fall; and I am afraid even at this time, by this very business we are now debating. For it must be the consequence of denying that the Legislative power of the Nation, King, Lords, and Commons, are not able to make Laws to prevent it. But as this Opinion is strange, so are the Politicks drawn from the Duke of *Hanover*, and King of *France*, to induce us to be willing to have a Popish King come to reign over us: when neither of the said Examples came home to our case: but if they should, Why must we be so willing to have a *Popish King* come to govern us, as that we should be rather led by Examples fetcht so far from abroad, than by the miserable Examples we had here in *Queen Mary's* days; and by the undeniable Arguments and Reasons that have been offered to make out, that a *Popish King* will endeavour to bring in a *Popish Religion*? And notwithstanding the Example brought from *France*, I am afraid the *French King* is bound to assist the *Duke's* interest therein; or otherwise it may be said of us, *what the Devil could not say of Job, That we have serv'd him for nought, contrary to the true interest of England, these many years.* But by these Arguments, and all the Kings Speeches and Messages, I

plainly see, that this Honourable Member is in the right in one thing ; That we struggle in vain to get any Act that shall signify any thing to prevent the *Duke's* coming to the Crown : but that if you will aim at Laws to secure your Religion after his coming to the Crown, you may probably obtain them. If this be not plainly said, I think it is plainly infer'd ; for are not all his Majesties Speeches and Messages with an absolute prohibition as to any thing against the Succession ? and I suppose will be as much understood against your *Association-bill* or any other that tends to that purpose : And you may be sure, that when you come with any such, if so contrived as to signify any thing, that the same opposition shall be made to them as to the Exclusion-bill. For it is plain to me, that the Kings offering to concur in any Laws you shall propose for the securing of your Religion, compared with the *other Limitations*, can only be so understood ; which is a fair denial of all *Laws against Popery*, at least those that advise it *I believe do so intend it* : For all Laws against Popery, if once you have a Popish King, will signify nothing ; the strongest that can be made, would easily be defeated, so as to be of no use to us. Suppose we should propose a Law to put a great power in Parliaments, I mean in both Houses, that so we may have the Lords Spiritual and *Jure Divino* of our side ; yet it is to me very plain, that a *Popish King* would be able either to prevent the meeting of such Parliaments, or by awing or influencing of them when met, or by setting up a stronger power than the Parliament, or a better *Jure Divino*, by means of the *Popish Clergy*, than ours, easily make all such Acts signify nothing. I have heard, that a wise

King

King hath oftentimes made wife Counsellors, and that wife Counsellors sometimes make wife Kings, but it must be when their interest may bind them to take their advice; which in this case would happen otherwise: for the Parliaments in such a case, must have some such power reposed in them as would render them suspicious of being Compertors for the Sovereignty; and that would make the Prince justly jealous of them, and soon end in such a breach as would endanger the Government. Or to prevent this, the power must be settled so strong in the Parliament, as to over-balance the Kings; which ought not to be, because it would endanger Monarchy. If a man were desperately sick of some Disease only curable by one Remedy, and that should be denied him, What should he do, but send for his *Confessor*, and prepare for death? and so I think must we. And yet I cannot admire at this Message of his Majesties, but rather considering whose advice he takes, should have admitted if he had sent any other. I hope we shall be as wise as the *Frogs*, who when *Jupiter* gave them a *Stork* for their King, did not appear well pleased therewith: to accept of Expedients to secure the Protestant Religion, after such a King hath mounted the Throne, would be as strange as if there were a *Lion* in the *Lobby*, and we should vote, *That we would rather secure our selves by letting him in and chaining him, than by keeping him out.* This Nation hath formerly had some repute for wisdom and prudence, and have done much, as well in making of good Laws, as in keeping them. Pray, Sir, let us not at one blow, or by one omission, destroy all those Laws which our Forefathers obtained with so much industry: I hope the King

will in time see who are his best Counsellors, we that aim at the preservation of the present Government in Church and State, or those private Cabals which aim at alterations; and that he will hearken to us ere long: That so he may live with more content and glory, and his people, without such fears and jealousies as now disturb them. Which cannot be, without the *Exclusion-bill*; and therefore I agree in the Votes that have been moved.

Mr. Speaker,

L. G. Sir, I cannot but observe, that most of the Arguments used against this Bill, are the same which *Coleman* made the grounds of his Declaration, that so, if possible, he might have prepossessed the people against the fear of Popery or Popish Successour. *First*, He saith, That the pretences which that Parliament made of the Protestant Religion being in danger of Popery, was without cause, because there was no disturbance given by any of that Community. *Secondly*, That the Parliaments bold endeavours to have restrained the Succession of the Crown to certain qualifications, would have made the Crown Elective. *Thirdly*, That therein they would have out-done the Popish Doctrine, that Heresie incapacitates Kings to reign; which was a new way of securing Religion by destroying it. *Fourthly*, That the good Church of England had taught their people to be obedient to their Prince, let his Religion or Deportment be what it will. Also I find, that the same endeavours which are now used to foment fears and jealousies in the people, as to *Forty One*, the danger of the Church and Government, and of Parliaments, are but copied out of that Declaration. He there declares, That the Parliament was dissolved because they

they had designs to blemish the good Protestant Church, and to prevent the sowing mischievous Tares in the wholesome Field of the Church of England, and to preserve the unsupported Spouse of our blessed Saviour from the ill effect of some designs that were like to be introduced by Parliament. I will not make any Annotations upon this which I have repeated, but by it I conclude, that the Papists are very willing we should imbrace these Opinions, and that therefore they may probably conduce to the carrying on of their designs. *I could wish his Majesty would order that Declaration to be read in Churches once a year, that so all the people, but especially the Clergy, may know what excellent pretences the Papists can make of taking care of the Protestant Church, and how vigilant they are for that end, especially to prevent that it may not be injured by the Parliament, nor by altering the Succession.* That declaration is to me a great confirmation of what hath been said of the influence of that party in the management of Affairs; for it is not likely that Coleman would have drawn it, but that he knew how to have juggled it into the Council, as if it had been drawn by some good Protestant, that so it might have been made publick, if that Parliament had been then dissolved.

But, Sir, though by God's providence we have had all these Discoveries, yet I see no probability of obtaining any security against this party. I am of opinion with that worthy Member that spoke last, that the King's Speeches and Messages, are plain against making of any Laws to prevent the Duke's coming to the Crown, and can only be understood in favour of Laws that may tend to securing the Protestant Religion under a Popish

King; Which, I think, none can do, unless such Laws as will endanger Monarchy it self; which will not be fit for this House to propose, or the King to grant. For without securing the *Militia*, and Commands of Fleets and Armies, the nomination of Privy-councillors, great Officers of State, Judges, Justices, Sheriffs, as well as the nomination of *Bishops*, and preferments of the Clergy, in the power of some Society of men, it will be impossible to secure our Religion against that omnipotency which accompanies a Crown, if the Prince that wears it be resolved to assist this powerful Faction. Therefore, Sir, we must either give up our Religion as lost, or obtain this Bill in order to it. I am for the Vote that hath been proposed.

Mr. Speaker,

Sir R. H. Sir, it is impossible we should remove the imminent dangers impendent on this Nation, unless we can prevail with the King to forbear taking advice with private *Cabals*, but instead thereof to be advised by his Privy-Council, and Parliaments. This indeed is the great dispute that is now afoot; and unless we can prevail herein, all that we are about signifies nothing. And therefore, I think, we may do well to be plain in this with the King; and as we must not be afraid of giving him such advice as is for his advantage, so neither of giving him assurances of our readiness to supply him with Money, and what else he may need, that so he may know we are as willing to trust him, as we are desirous he should be to trust us. For unless there can be a mutual confidence created between the King and his people, that so they may freely, heartily, and without any suspicion

tion trust one the other, it is impossible that this Nation can ever be happy, but must either languish as if it were in a Consumption, or strike into a Favour. The King being a Protestant, and for the Protestant Religion; the Duke being a Papist, and for the Popish Religion, are interests irreconcilable, and have already given a great deal of care and trouble to the King. And I am afraid, that those who promote the Duke's Interest, are more for the advantage of a *Popish Successor* than of the present *Protestant King*. Which mischiefs can never be removed as long as there is such a Successor. And therefore I am for the Votes that have been proposed.

Resolved, That it is the opinion of this House, that there is no security nor safety for the Protestant Religion, the Kings Life, or Government of this Nation, without passing a Bill for disabling James Duke of York to inherit the Imperial Crown of this Realm, and Dominions, and Territories therunto belonging; and to rely upon any other means and remedies without such a Bill, is not only insufficient; but dangerous.

Resolved, That his Majesty in his last Message, having assured this House of his readiness to concur in all other means for the preservation of the Protestant Religion, this House doth declare, that until a Bill be likewise pass'd for excluding the Duke of York, this House cannot give any supply to his Majesty without danger to his Majesties person, extreme hazard of the Protestant Religion, and unsatisfaisness to those by whom this House is entrusted.

After

After this, several persons being named for giving ill advice to his Majesty, and Motions seconded with Arguments, that Addressees might be made, grounded on Common Fame, for their removal. The House entered into a long Debate, touching the meaning of Common Fame, the usage, custom, and consequences of such Addressees in reference to the Government; and it did appear, that it was an ancient Right and constant Practice of the Commons assembled in Parliament, to make Addresses to the King, grounded on Common Fame, or moral certainty, for removal of such Counsellors or Officers, as they thought were pernicious to the Government. And that it was the only way to reach great Ministers of State that gave evil counsel, and to secure the Government against the dangers arising from such, who would otherwise by giving advice to the King in private, be secure against all manner of proceedings against them, and so the Government might be ruin'd without any remedy; that there was now as great occasion, as ever in former times, of making use of this only remedy, the influence of Popish Councils having reduced the Nation, not only to the mercy of the Popish party at home, but of a Foreign Nation; the dangers whereof could never be prevented, but by establishing such a mutual confidence between the King and his people, as might give encouragement for the raising of a considerable sum of money to be employed for that end; which was never like to be done, until there were about the Kings Person, and in places of trust and power, persons more inclined to the interest of the King and *Protestant Religion*, and less to that of the Duke and *Papery*,
Because

Because the same jealousies which this Parliament had, (unless the cause were removed) would probably be also an impediment with the next, that there could be no security, it would be employed for that end, as long as the Duke's party were so powerful: And that the giving of money as long as things stand thus, would be a great encouragement to that party to go on with their Plot against the King's life. But this Debate being after Candle-light, could not be taken: The result was, that several *Addressees* were voted against George Earl of *Hollis*, *Lawrence Hyde Esq*, *Henry Marquis of Worcester*, *Henry Earl of Clarendon*, and *Lewis Earl of Feverham*.

After which, the House entered into a Debate of the great Charge the Kingdom was at by Interest and Advance-money paid to Goldsmiths and others. And after many Arguments, making out that by Parliaments the King might be supplied, as well with the love of his People, as with Money for the necessary support of the Government, and other occasions. And that this Parliament had by several *Addressees* offered themselves ready to do it, upon passing of such Bills as were precisely necessary for the security of the Protestant Religion; and that all other ways of supplying the King's occasions, but what were granted in Parliament, did not only tend to the keeping off Parliaments, and to the exhausting of the publick Treasure, by contracting Debts, but were of dangerous consequence to the King and Kingdom, because the Government might be undermined thereby.

Resolved, That whoever shall hereafter lend or cause to be lent, by way of Advance, any Money upon the Branches of the Kings Revenue arising by Custom, Excise, or Hearth-money, shall be judged a binder of the sitting of Parliaments, and be responsible for the same in Parliament.

Resolved, That whoever shall accept or buy, any Tally, or Anticipation, upon any part of the Kings Revenue; or whoever shall pay such Tally hereafter to be struck, shall be adjudged to binder the sitting of Parliaments, and be responsible therefore in Parliament.

Prorogued the 10th of January, and Dissolved by Proclamation the 18th of January 1681.

L I S T

OF THE

House of COMMONS,

Which sat at *Westminster* from the 21st of
October, 1680. to the 10th of Janu-
ary following.

Bedfordshire, 4.

William Lord Russell.
Sir *Humphrey Monoux* Bar.

Town of *Bedford*.

Parlet St. John Esq.
Sir *William Franklin* Kt.

Berks, 9.

William Barker Esq.
Richard Soubby Esq.

Borough of *New-Windsor*.

Richard Winwood Esq.
Samuel Starkey Esq.

Borough of *Reading*.

John Blagrove Esq.

Nathan

Nathan. Knight Esq;

Borough of *Wallingford.*

William Lenthal Esq;

Scorie Barker Esq;

Borough of *Abington.*

Sir John Stonehouse Bar.

Bucks, 14.

Thomas Wharton Esq;

John Hampden Esq;

Town of *Buckingham.*

*Sir Richard Temple Knight of the Bath
and Bar.*

Edward Lord Latimer.

Borough of *Chipping-Wicombe.*

Sir John Borlase Bar.

Thomas Lewes Esq;

Borough of *Alybury.*

Sir Thomas Lee Bar.

Sir Richard Ingelderby Kt. of the Bath.

Borough of *Aymondestham.*

Sir Roger Hill Kt.

Sir William Drake Kt.

Borough of *Wendover.*

Richard Hampden Esq;

Edward Backwell Esq;

Borough of great *Marlow.*

John Borlace Esq;

Thomas Hobby Esq;

Cambridge 6.

Sir Levinus Bennet Bar.

Sir Robert Cotton Kt.

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Univerſity of Cambridge.

Sir Thomas Exton Kt.

Sir William Temple Bar.

Town of Cambridge.

William Lord Allington.

Sir Thomas Chibbey Kt.

Cheshet 4.

Henry Booth Elq;

Sir Robert Cotton Kt. Bar.

City of Cheſter.

William Williams Elq;

Sir Thomas Groſvenor Bar.

Continual 44.

Francis Roberts Elq;

Sir Richard Edgcomb Kt. of the Bath.

Borough of Dunbruid,

alias Lanegſon.

Sir John Coryton Bar.

Sir Hugh Pyper Kt.

Borough of Lerkard.

Sir Jonathan Trelawney Bar.

John Butler Elq;

Borough of Leſterſhiel.

Sir John Carew Bar.

Walter Kendal Elq;

Borough of Trow.

William Boſcawen Elq;

Edward Boſcawen Elq;

Borough of Bodmin.

Hendar Roberts Elq;

Nicholas Glyn Elq;

Borough of Helsen.

Sir Viel Vriem Bar.

Sydney Godolphin Esq;

Borough of Saltash.

Sir John David Bar.

William Jennings Esq;

Borough of Gamelford.

Robert Russell Esq;

Sir James Smyth Kt.

Borough of Port-Pigbam,

alias Westow.

John Trelawney Esq;

John Trelawney Esq;

Borough of Crampound.

Nicholas Herle Esq;

John Tanner Esq;

Borough of Eastlow.

Sir Jonathan Trelawney Bar.

Henry Seymour of Langley Esq;

Borough of Penryn.

Charles Smith Esq;

Sir Nicholas Slanning Knight of the Bath
and Bar.

Borough of Tregony.

Hugh Boscarden Esq;

Charles Trevannian Esq;

Borough of Bossiney.

Charles Bodvile Roberts Esq;

Narcissus Luttrell Esq;

Borough of St. Ives.

Edw. Nourseworthy Senior Esq;

Edw. Nourseworthy Junior Esq;

Borough of Foway.

Jonathan Ragsdale Esq;

John Treffy Esq;

Borough of St. Germain.

Daniel Elliot Esq;

Richard Elliot Esq;

Borough of St. Michel.

Sir John St. Aubin Bar.

Walter Vincent Esq;

Borough of Newport.

William Coryton Esq;

Ambrose Manaton Esq;

Borough of St. Mawes.

Sir Joseph Tredenham Kt.

Henry Seymour Jun. Esq;

Borough of Killington.

Richard Carew Esq;

William Treviza Esq;

Cumberland 6.

Edward Lord Morpeth

Sir John Lowther

City of Carlisle.

Sir Philip Howard Kt.

Sir Christopher Musgrave Kt.

Borough of Cokermouth.

Sir Richard Grabine Bar.

Orlando Gee Esq;

Derby 4.

William Lord Cavendish

William Sacheverell Esq;

Town of Derby.

Anchisel Gray Esq;

George Vernon Esq;

Sir William Courtenay Bar.

Samuel Rolle Esq;

City of Exeter.

William Glyde Esq;

Malaby Pine Esq;

Borough of Totnes.

Sir Edward Seymour Bar.

Edward Seymour Esq;

Borough of Plymouth.

Sir John Maynard Kt. his Majesties

Serjeant at Law.

Sir William Jones Kt.

Town of Okehampton.

Sir Arthur Harris Bar.

Joſias Calmady Esq;

Borough of Barnstable.

John Baſſet Esq;

Richard Lee Esq;

Borough of Plympton.

George Treby Esq;

John Poleys Merchant.

Borough of Hoxton.

Sir Walter Young Bar.

Sir Thomas Purr Bar.

Borough of Tavistock.

Edward Russell Esq;

Sir Francis Drake Bar.

Borough of Appbarnon.

Thomas Roywell Esq;

Richard Duke Junior, Esq;

Borough of Clifton, Dartmouth, & Harthel.

John Upton Esq;

Edward Tard Esq;

Bo-

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Borough of Beralston.

Sir John Trevor Kt.

Sir William Bassard Kt.

Borough of Tverton.

Samuel Foot Esq;

Sir Henry Ford Kt.

Dorsetshire 20.

Thomas Strangers Esq;

Thomas Freke Esq;

Town of Pool.

Henry Treubarth Esq;

Thomas Chafin Esq;

Borough of Dorchester.

James Gould Esq;

Nicholas Gould Merchant.

Borough of Lyme-Regis.

Henry Henley Esq;

Thomas Moore Esq;

Borough of Weymouth.

Sir John Cocentry Kt. of the Bath.

Sir John Morton Kt. and Bar.

Melcom-Regis.

Thomas Brown Esq;

Michael Harrey Esq;

Borough of Bridport.

Sir Robert Henley Bar.

William Bruges Esq;

Borough of Shafton;

alias Shaftsbury.

Sir Nathew Andrews Kt.

Thomas Bennet Esq;

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Borough of *Wareham*,

Thomas Erle Esq;

George Savage Esq;

Borough of *Corf-Castle*.

Nathaniel Bond Esq;

Sir Nathan Noper Kt. and Bar.

Durham 4.

William Bowes Esq;

Thomas Fetherston Haugh Esq;

City of Durham,

Sir Richard Lloyd

William Blakeson Esq;

Essex 8.

Henry Mildmay Esq;

John Lennor Homewood Esq;

Borough of *Colchester*.

Sir Harbottle Grimston Bar.

Sir Walter Clarges Bar.

Borough of *Malden*.

Sir Will. Walsman Kt. and Bar.

Sir Thomas Darcy Bar.

Borough of *Harwich*.

Sir Philip Parker Bar.

Sir Thomas Mydleton Kt.

Gloucestershire 8.

Sir Ralph Dutton Bar.

Sir John Guise Bar.

City

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City of Gloucester.

Edm Selys Serjeant at Law.

Sir Ch. Berkley

Borough of Cirencester.

Sir Rob. Atkins Jun. Kt.

Henry Poole Esq;

Borough of Tukesbury,

Sir Hen Capel Kt. of the Bath.

Sir Francis Russel Bar.

Herefordshire 8.

John Viscount Scudamore

Sir Edw. Harley Kt. of the Bath

City of Hereford.

Bridgock Hereford Esq;

Paul Foley Esq;

Borough of Lempster,

John Dutton Cole Esq;

Thomas Coningsby Esq;

Borough of Weoley.

John Birch Esq;

John Booth Esq;

Herefordshire 6.

Sir Jonathan Keat Bar.

Sir Charles Caesar Kt.

Borough of St. Albans.

Thomas Pope Blunt Esq;

Samuel Grimston Esq;

Borough of Hertford.

Sir Thomas Bide Kt.

Sir William Cooper Bar.

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Huntingtonshire 4.

Sir Thomas Proby Bar.

Silas Titus Esq;

Borough of Huntington.

Sidney Wortley, alias Montague Esq;

Lionel Walsden Esq;

Kent 10.

Sir Vere Fane K. of the Bath.

Edward Dering Esq;

City of Canterbury.

Sir Thomas Hardsy, K. his Majesties Ser-
jeant at Law.

Edward Hales Esq;

City of Rochester.

Sir John Banks Bar.

Francis Barnell Serjeant at Law.

Borough of Maidstone.

Sir John Tuston K. and Bar.

Thomas Fane Esq;

Borough of Quinborough.

William Glauvill Esq;

Sir Edward Hales Bar.

Lancaster 14.

Charles Lord Brandon.

Sir Charles Houghton.

Borough of Lancaster.

Richard Kirby Esq;

William Spencer Esq;

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Borough or Town of Preston
in Amunderness.

Sir John Orway Kt.

Edward Rigby Sergeant at Law.

Borough of Newton.

Sir John Chicheley Kt.

Andrew Fountain Esq;

Borough of Wygorn.

Charles Earl of Arundel.

Banks Esq;

Borough of Clithero.

Sir Ralph Ashton Bar.

Sir Thomas Stringer Sergeant at Law.

Borough of Liverpool.

Russell Wentworth Esq;

John Dubois Merchant.

Leicester 4.

Bennet Lord Sherrard.

Sir John Harring Bar.

Town of Leicester.

John Grey Esq;

Sir Henry Beaumont Kt.

Lincoln 12.

George Lord Viscount Castleton.

Sir Robert Carr. Kt. and Bar.

City of Lincoln.

Sir Thomas Meers Kt.

Henry Mowson Esq;

Borough of Boston.

Sir Anthony Isley Kt.

Sir William York Kt.

T 4

Ba-

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Borough of great Grimby.

William Broxholm Esq;

George Pelham Esq;

Town of *Stamford.*

Sir Richard Cust Bar,

William Hyde Esq;

Borough of *Grantham.*

Sir William Ellis Bar.

Sir John Newton Bar.

Shrotoneter 8.

Sir William Roberts Bar.

Sir Robert Atkins

City of Wessminger.

Sir William Poutney Kt.

Sir William Waller Kt.

L O N D O N.

Sir Robert Clayton Kt.

Sir Thomas Player Kt.

William Love Esq;

Thomas Pilkington Esq;

Monmouth 3.

Sir Trevor Williams Bar.

William Morgan Esq;

Borough of *Monmouth.*

John Arnold Esq;

Dorset 12.

Sir John Hobert Bar.

Sir Peter Gheyn,

City

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City of Norwich.

William Lord Paston.

Augustine Briggs Esq;

Town of Lyn Regis.

John Turner Esq;

Simon Taylor Esq;

Town of Great Yarmouth.

Richard Huntington Esq;

George England Esq;

Borough of Thetford.

Sir Joseph Williamson Kt.

William Harbord Esq;

Borough of Caisterising.

Sir Robert Howard Kt.

James Hesse Esq;

Northampton 9.

John Parkhurst Esq;

Miles Fleetwood Esq;

City of Peterborough.

Francis St. John Esq;

Charles Orme Esq;

Town of Northampton.

Ralph Montague Esq;

Sir William Langbarn Kt.

Town of Brackley.

Richard VVennan Esq;

Sir W^{ill}. Egerton Kt. of the Bath.

Borough of Highbarn-Ferries.

Sir Rice Rud Bar.

Northumberland 8.

Sir John Fenwick Bar.

Sir Ralph Delaval Bar.

Town of Newcastle upon Tine.

Sir W^{illiam} Blacket Bar.

Sir Ralph Carr. Kt.

Bo-

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Borough of *Morpeth*.

Sir *George Downing* Kt. Bar.

Daniel Collingwood Esq;

Town of *Berwick upon Tweed*.

Ralph Grey Esq;

John Rishworth Esq;

Nottingham 8.

Sir *Scroop How* Kt.

John White Esq;

Town of *Nottingham*.

Robert Pierrepoint Esq;

Richard Slater Esq;

Borough of *Eastringford*.

Sir *William Hickman* Bar.

Sir *Edward Neville* Kt. Bar.

Town of *Newark* upon *Trent*.

Sir *Robert Markham* Kt.

Sir *Richard Robwell*.

Oxon 9.

Sir *John Cope* Bar.

Thomas Howard Esq;

University of *Oxon*.

Sir *Leoline Jenkins*.

Dr. *Perrot*.

City of *Oxon*.

Broom Wborwood Esq;

Alderman *William Wright*

Borough of *New-woodstock*.

Sir *Littleton Osbalston* Bar.

Nich. Baynton Esq;

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Borough of Banbury.

Sir John Holman Bar.

Buriland 2.

Sir Abel Barber.

Philip Sherrard Esq.

Satop 12.

Richard Newport Esq.

Sir Vincent Corbet Bar.

Town of Salep.

Sir Richard Corbet Bar.

Edward Kinaston Esq.

Borough of Bruges alias

Bridgenorth.

Sir William Whitmore Bar.

Sir Thomas Whitmore Kt. of the Bath.

Borough of Ludlow.

Francis Charlton Esq.

Thomas Waleot Esq.

Borough of Great Wenlock.

William Forrester Esq.

John Woolryche Esq.

Town of Bishop's Castle.

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THE

DEBATES

IN THE

House of Commons,

Assembled at

OXFORD

The Twenty first of *March*, 1680.

The Three first days being spent in Choosing their Speaker, the Confirming of him, and taking the Oaths as the Law direcds; on *Thursday* the Twenty fourth of *March*, 1680. they began thus.

Thursday, March 24. 1680.

Mr. Speaker, What I am about to move, concerns us all. The last Parliament when you was moved to print our Votes, it was for the Security of the Nation, and you found it so. It prevented ill Representations of us to the World, by false

Copies

Copies of our Votes, and none doubted your Honour in the care of it. And I am confident that this House will be no more ashamed of their Actions, than the last was. Printing our Votes will be for the Honour of the King, and the safety of the Nation. I am confident if it had been necessary, you would have had Petitions from the Parts I come from, that your Actions might be made publick. As I came hither, every body almost that I met upon the Road, cryed, God bless you in what you are going about. I move therefore, that your Votes may be ordered forthwith to be printed, with the rest of your Proceedings; and I shall only add, that your self has done so well in taking that care upon you the last Parliament, that the House will desire you to continue them in the same Method.

Sir W. C. That which put me upon moving the printing your Votes the last Parliament, was false Copies that were about in former Parliaments, of the Votes and Transactions of the House. Let men think what they please, the weight of *England* is the People; and the more they know, the heavier will sit be; and I could wish some would be so wise as to consider, that this weight hath sunk ill Ministers of State (almost) in all Ages; and I do not in the least doubt, but it will do so to those who are the Enemies of our Religion and Liberties. And the World will find the honest *Cemeteries* of *England* will sink Popery at last, therefore, I second the Motion.

Sec. 7. I beg pardon if I consent not to the Motion of Printing the Votes, &c. consider
the

the Gravity of this Assembly. There is no great Assembly in Christendom does it. 'Tis against the Gravity of this Assembly, and 'tis a sort of Appeal to the People. 'Tis against your Gravity, and I am against it.

H. B. If you had been a Privy-Council, then 'twere fit what you do should be kept secret. Your Journal-Books are open, and Copies of your Votes in every Coffee-House; and if you Print them not, half Votes will be dispersed to your Prejudice. This Printing, &c. is like plain *Englishmen*, who are not ashamed of what they do; and the People whom you represent, will have a true account of what you do; you may prevent the publishing what parts of the Transactions you please, and print the rest.

L. G. I find that those who write out Votes and Transactions, and send them all *England* over, are favoured; and I believe no Gentleman in the House will be against printing them but the Secretary. I hope you will not have reason to be ashamed of what you do, therefore I am for Printing, &c.

Col. M. By experience we have found, that when former Parliaments have been Prorogued or Dissolved, they have been sent away with a Declaration against their Proceedings. If our Actions be naught, let the World judge of them; if they be good, let them have their Vertue. 'Tis fit that all Christendom should have notice of what you do, and Posterity what you have done, and I hope, they will do as you do, therefore I am for Printing, &c.

Sir F. W. What has been said by the Secretary, is a single Opinion, (for he says, That
Print;

Printing the Votes is an Appeal to the People) I hope the House will take notice, that Printing the Votes is not against Law. But pray who sent us hither ? The Privy-Council is constituted by the King, but the House of Commons is by the choice of the People. I think it not natural nor rational, that the People who sent us hither, should not be informed of our Actions. In the long Parliament it was a Trade amongst Clerks to write the Votes and disperse them, and were questioned for it there ; but 'twas then said by a learned Gentleman, that 'twas no Offence to inform the People of the Votes of Parliament, the Journals being open, and the People ought to have notice of them. The long Parliament were wise in their Generation, to conceal many things they did from the People, and yet the Clerk was sent away, (who dispersed the Votes) and had nothing done to him. The Popish party dread nothing more than Printing what you do ; and I dread a man in the Secretary's post, and such an Accusation as was upon him in the last Parliament, that he should hold such a Position, that printing the Votes is an Appeal to the People. Vide the Printed Vote of this day.

A Motion was made to enquire into the miscarriage of the Bill for Repeal of 35 El. &c.

R. H. I think the Motion is to enquire after the slipping of that Act the last Parliament, and not presenting it for the Royal Assent. For my own part, I look upon it as a breach of the constitution of the Government. We are told, that

that we are Republicans, and would change the Government ; but such as are about to do so, 'tis a natural fear in them to be thought so, and they will cast it upon others. In a crowd 'tis frequent for Pickpockets to cry out, Gentlemen, have a care of your Pockets, that they may more securely do it themselves, and have the less suspicion upon them. I will not offer this great thing to the consideration to day, but move you to adjourn it till to morrow.

Sir F. W. I shall humbly put in this word. I doubt this matter will be too big to be debated to day ; 'tis of great importance, and will not be forgotten ; be pleased to adjourn the Debate, &c.

Sir N. C. I humbly move, that for the preservation of the Protestant Religion, and the King's Person, a Bill be brought in to prevent a Popish Successor, and in particular against *James Duke of York*, the same Bill which pass the last Parliament.

Sec. J. You are upon rising, and I shall not detain you long. I must give my Negative to this Motion, and my reason why I do so, is, because the King hath declared in his Speech, that as to the point of altering the Succession, he cannot depart from what he has so often declared. The King has given his Vote against it, and therefore I must do so too.

L. G. The Duke of *York* is in *Scotland*, and I hope the King will come up to what he has said in his Speech. My Liberty and Property is dear to me, and I'll support the King's prerogative too ; and I hope we shall remove those People, Briars and Thorns who scratch you in
your

your intentions against Popery, which I see we cannot prevent without this Bill to exclude the *D. &c.* And therefore I am for it.

Col. B. I am heartily glad to find that the Zeal of the House still continues for the preservation of the Protestant Religion. My Opinion is, That we cannot preserve the Protestant Religion with a Popish Successor to the Crown, no more than Water can be kept cold in the hot pot; but I would do it in all the decent ways to come at it. The King recommends to you in his Speech, to look back to what he formerly said as to the Succession, &c. If there be no other way to prevent Popery, but a Bill to exclude the *D. &c.* from the Succession, &c. my Opinion is, That 'twill be more decent to our Prince, and better for those who sent us hither, that before the Bill be brought in, to give it the honour of a day, to consider of Expedients to save Religion under a Popish Successor; for that I shall expect from some honourable person: but if none come, then you may proceed to this Bill with more honour. Therefore I move to appoint a day to consider of it.

Sir J. E. I should not have troubled you, but from what was spoke last. By all means just and lawful, we are to secure our Religion and Properties: We see the great Attempts made upon us from *Rome*, and we must do something for our farther security. I will not speak of the former Bill of excluding the *D. &c.* nor of the King's Speech, that gives you latitude for Expedients; and I would not offer any, if I thought they would not do as well

as that Bill, which is but an Expedient. But because the King has declared against that Bill, and invited you to Expedients, I would not put that Bill any more to the hazard of rejection, but think of some Expedients.

W. H. I can see no Expedient to save Religion, and preserve the King's Person, but the Bill to Exclude the D. &c. All Gentlemen I believe would be willing as to the Matter, and save the Matter: But when our Prince is encompassed (all) with the D's Creatures, the D's safety is because of their dependencies: The danger is not from Popery, but from the K's being encompassed with the D's Creatures. I would proceed in this matter with all decency; and since a day is moved for, pray let's have time to consider.

Sir C. M. You are invited by the K's gracious Motion to consider how to preserve Religion, &c. I desire we may not now put a Question for bringing in a Bill to seclude the D. &c. else properly we cannot consider any Expedients for preservation of Religion.

B. W. The consideration of the preservation of the Protestant Religion, is of that weight, that though we have shewed our Zeal to it, yet I would not run upon a thing of this great nature, without Consideration. They who advised the Kings Speech, must answer for it. The words of the Speech are, *If any other way can be found out, &c. Vide.* I think those about the King have done enough to ruin Him and Us: But I would have the K. see we are so far from putting him upon that stress, that we would help him out. I think that Speech the
King

King read to us, to have nothing of the King's in it: He is a better man, and a better Protestant than to do it of Himself: Therefore I would not put on a Resolution as flat and as short as that is in the K's Speech. The King has gone as far as this Resolution in his Speech comes to, in his Declaration about Dissenters formerly; and yet from the Reasons from hence, he was perswaded to revoke it: If persons have been so prevalent as to put the King upon this Speech, let me see those persons so forward to bring the King into a thing, to help him out; if they do not, I hope the King will lay the blame at their Doors, and not at ours. If they could have told us what Expedients were necessary, they would have put them into the King's Speech, and the Resolution-part of not altering the Succession would have been left out. A little Consideration in this great matter, can do us no hurt, and will satisfy the People without doors: But if they about the King can find out no Expedient, I hope he will lay them aside, and take their Counsel no more. Put not off this Consideration farther than *Saturday*; and if they can find us out an Expedient betwixt this and then, 'tis very well.

H. P. I have always observed, that the most deliberate Proceedings have had the best success here, and the best reputation abroad. I am as willing as any man to come to this moved for, but with deliberate steps. For my share, though I hear of Expedients abroad, yet I cannot conceive that a Title or Name can destroy the nature of Expedients. But the
King

King in his Speech has told you that a Month
(*vide*) And I would not give those about the
King occasion to say, that this House is run-
ning into a Breach with him. I would pay the
King all the respect in the World, and you can-
not avoid setting apart a time to consider Ex-
pedients ; And I would not mix any thing with
the Debate that day. I think to-morrow is too
soon to debate it : I shall propose *Saturday* for
that Consideration, and then let us do what's
fit in so weighty a matter.

R. H. This is a matter of great weight, and
I would adjourn it to to-morrow. For the
reason of proposing Expedients, I do not move
to adjourn for that ; for 'tis as little Reason to
me to expect any, as 'twas the last Parliament.
That Parliament gave Reasons why the Expe-
dients could be of any effect, but this Bill of
Exclusion ; and that Parliament saw enough
of Expedients. There are a great many talk-
ed of abroad in the Streets, and would you
hear Expedients ? What can a man say less with
any Modesty ? But no man can say but we
are in danger of losing our Religion, if the D.
should come to the Crown. But the question
before you is, Whether you'll put off this De-
bate ? Therefore I move that the House will
take into Debate the security of the Protestant
Religion to-morrow.

Sir F. W. All that I shall propose, is, That
you would so word the Question as to have
no diminution to the Motion made for the
Bill, &c. upon your Books ; not prejudging, nor
reflection. When this Bill pass the last Parlia-
ment, it was *Nemo contrariis* ; and most

of this Parliament were of the last. For Expedients, is a word mightily used and talked of, and willingly embraced, but none have been proposed. Let this matter be reassumed on *Saturday* morning, and so taken into consideration to secure the Protestant Religion; and not to let appear upon your Books anything relating to Expedients, or preventing a Popish Successor.

5. T. I was much surprized at the King's Speech, considering your weighty Reasons for this Bill, &c. the last Parliament; and that the Lords found out no Expedients for preservation of Religion, and yet threw out the Bill. But that the King may see, that what we do, is most feel sensible of the danger we are in from a Popish Successor, and not in contradiction to him; and when nothing is found out to save us, we may justifie our selves in what we do not amfor adjourning the Debate. *Vain, vide the Print.*

27. T. I was much surprized at the King's Speech, considering your weighty Reasons for this Bill, &c. the last Parliament; and that the Lords found out no Expedients for preservation of Religion, and yet threw out the Bill.

Friday, March 25. 1688.

I was much surprized at the King's Speech, considering your weighty Reasons for this Bill, &c. the last Parliament; and that the Lords found out no Expedients for preservation of Religion, and yet threw out the Bill.

W Hence there has been a general Corruption, and all have not done their duty, you should distinguish and give satisfaction to them that have; and so far as you have done to Officers for doing their duty in suppression of Popery, when through the corruption of the things, some have not done their duty. Nothing is more Parliamentary than to return

return Thanks to those who have freely and without expence chosen you Members; and I desire that the Members so elected, may be ordered to send their Thanks to those who chose them. *Vide the Vote in the Print.*

*The loss of the Bill for Repeal of 35 Eliz.
moved.*

Sir W. J. This matter deserves material Consideration, whether in respect of the loss of the Bill, or the taking of the very Constitution of Parliament. The Bill that is lost is of great Moment, and of great Service to the Country, and perhaps to their lives in the time of a Popish Successor. Those men that hindered the passing that Bill, had a prospect of that; and if it be sent up again, we are like to meet with great Opposition. But be the Bill what it will, the President is of the highest Consequence: The King has his Negative to all Bills; but I never knew that the Clerk of the Parliament had a Negative, if he laid it aside or not. But consider, if we send up many good Bills, if this be not searched into, we may be deprived of them. No man that knows Law or History, but can tell that no Bills Grateful and Popular, the King gives his Consent to them. — But if this way be found out, that Bills should be thrown by, it may be hereafter said, they were forgot and laid by, and so we shall never know whether the King would pass them or no. If this be suffered, 'tis in vain to spend time here; and 'twill be a great matter to find time to redress it. I move therefore, that a Message be sent to the Lords for a Conference,

tence, that somehow may be found out to give us satisfaction in this great matter.

H. B. I do concur with the Gentleman spoke last, that Parliaments are Prorogued and Dissolved by the King; and now here is a new way found out to frustrate Bills. The King cannot take one part of a Bill, and reject another, but gives a direct Answer to the whole. But to avoid that, this Bill was never presented to the King, a thing never done before. I desire we may send to the Lords for a Conference to represent this Innovation, and that a Committee be appointed to draw up Reasons for the Members.

W. G. I was a Friend to this Bill, and I agree in all things concerning the weight of it. The laying this Bill aside, is such a breach of the Constitution of Parliament, that 'tis in vain to pass any Bill, if this Misfortune be not searched into. By the Constitution of Parliaments all Bills but Money-bills, after they are past both Houses, are deposited in the Lords Hands, ~~and~~ 'tis below you to look after the Clerks of this Bill. If the Lords give you no Answer for the loss of this Bill, that is satisfaction to I would then send to them to know a Reason why the Bill was not tendered to His Majesty with the other Bills.

Sir A. H. I would have you search the Lords Journals, and if you find no account of the Bill there, then 'twill be time for us to go to the Lords to require Satisfaction.

Sir R. T. I have not much to offer you, but I fully concur in the weight and consequence of this matter, and you are to take all the care

you

you can to secure it for the future. Never any thing of this nature was done before, but the Bill for Observation of the Lords Day in the late long Parliament. 'Twas left upon the Table at a Conference, and stolen away. But 'tis not proper (I conceive) to take notice of this in a Message to the Lords, because the miscarriage of this Bill was in another Parliament. The matter must go upon a desire of a Conference with the Lords, concerning the Rights and Privileges of both Houses of Parliament ; and then you may appoint a Committee to inform you of the progress of this matter.

E. V. I think the passing over the Inquiry after the loss of the Bill of the Sabbath, in the late long Parliament, was the great occasion of the loss of this. Consider how many interruptions Parliaments have had of late in the greatest business, by Prorogations and Dissolutions ; and another way to gratify your Enemies, is to stifle your Laws, when they have a mind the People should have no benefit of them, though they have passed both Houses. Therefore I move, *Or. ut ante.*

Sir H. C. I differ only as to the words. I agree to a Conference, but no more to be said, than to know what's become of the Bill ; for the Lords are the Depositors of all Bills but Money. Without any other words, I would send to the Lords for a Conference to know what's become of the Bill. I know but of three Negatives, but by this proceeding here is a fourth Negative, which may destroy the Government.

S. T. 'Tis the best way in this matter to observe old Methods ; and the best Method to

know the Lords minds, is by Conference. I remember in the late long Parliament, the Lords sent to us for a Conference, and at it told, the Roof of our House was falling on our Heads; but they sent us not a Message of the danger we were in by the falling of the Roof, but desired a Conference about a matter of great consequence. Therefore I would now send to the Lords for a Conference of matters relating to the Nation.

R. H. I would say this, We desire a Conference with the Lords concerning the Constitution of Parliaments in matters relating to passing of Bills. *Vide Printed Vote.*

Sir T. L. This is a thing of as high weight as we can confer upon. Therefore I would not do less than in a thing of lesser moment. Let a Committee meet, and then agree of the Subject matter; till then you know not what to say at the Conference, and 'twill be *Munday* at the soonest before you can do it. I shall offer another thing at the Conference; I would offer the Lords the consequence of this way of proceeding, and to desire the Lords to put the thing into a way of Examination, that the Commissions may be fit for punishment. And at the same Conference, would desire a Committee of both Houses to consider where the Miscarriage lay.

Danby's Case Reported, &c. The Account of Fitzharris, and the Libel read, &c. Treby's Examination, &c.

Sir J. H. I humbly move *Fitzharris's* Examination may be printed, for the World to see the devilish Conspiracies of the *Papists*.

Sir

Sir *W. J.* I like the motion for printing; nothing is in this Paper, but what's fit to be printed. It fully makes out those Informations you have had before. And because we all know that since my Lord *Stafford's* Tryal People have been prevailed upon to believe the Plot not true, and this confirms *Oats*, and *Bedles* Informations, I would have them printed, but not the Libellous Paper which reflects upon the King.

Sec. *J.* I will not trouble you but with that part I had in this affair. The Paper was read over to the King by Sir *Will. Walker*. Therefore according to the King's Command, I issued out a Warrant for apprehending *Fitzbarris*, and Sir *W. Waller* was to take care of the execution of the Warrant.

Sir *F. W.* This is a matter of great Importance, and we ought to acquit our selves in it like wise Men. We that come out of the Country, hear that that Treasonable Paper which has been read by Sir *W. Waller*, was to have been sent to many Gentlemen, they to have been seized thereupon, as Traytors in the Conspiracy; it may be this, and was that new Plot. All we have is at the stake, therefore how long or short our sitting is like to be here (the Trooper *Harrison* said there would be other Guards at *Oxford*) let not our Courage lessen. This being our Case, let us go to the bottom of this business of *Fitzbarris*. Therefore I move, he may be sent for, and impeached. We know by experience, when once an Accusation is in Parliament on Record, and in the greatest Court of the Kingdom made known, Malefactors have not been cleared; and you have

had Justice; therefore I would have care taken that this Man be impeached of High Treason, and it may be, he will relent and tell you all.

Sir R. C. When *Fitzbaris's* Examination was taken at *Newgate*, he asked whether he had said enough to save his Life? I told him, I thought he had not dealt ingenuously, unless he would tell what Counsel he had for drawing and modelling the Paper; and I bid him be ingenuous in the whole matter, and I would come and take his farther Examination. But the next day after he promised this, he was removed out of our reach into the *Tower*. *Impeachment Ordered, vide in the Print.*

It was mov'd that Secretary Jen. should carry up the Impeachment to the Lords.

Sec. J. The sending me upon this Message, reflects upon the King my Master; and do what you will with me, I will not go. *Many called, To the Bar, to the Bar.*

Sir T. L. I would not have said one word, but that the very Being of Parliament is in the case. 'Tis to no end to sit here any longer if this be suffered. There can be no ground, reason, or thought, to bring the King in question, or reflection upon him in this Impeachment, or on the Secretary: But for him to say, do what you will with me, I will not go with the Impeachment, is what I never heard said in Parliament before. Let the words fell from him, be written down before he explain them, according to the Order of the House.

Sir G. H. I never heard such words before, that the whole House of Commons should reflect upon the King, and that he will not obey

your

your Order; let the words be written down.

Sec. 7. The House will be contemptible to the extremest degree, if this be suffered. Such a thing as never was in Parliament before, that the whole House should reflect on the King, and for him to say, do what you will, I will not go. *Moves ut ante.*

Sec. 7. I said no such thing, that the House reflected on the King, but that I take it as a Reflection upon the King my Master.

Sec. 7. His words were, This had not been put upon me, but for the Character I bear.

At last the Secretary's words were thus stated:

This Message is put upon me for the Character I bear. I value not my Life nor Liberty, do what you will, I will not go.

Sec. 7. I say this is put upon me, to my apprehension, for the Character I bear, and do what you will with me, I will not go.

Sir W. 7. I am sorry to see any Member behave himself at this rate. This Deportment confirms me in the Opinion of the Design of some men, to suppress the Honour of this House. There has been a Book written (which I hope in time will be enquired after) that the House of Commons sprang first out of Rebellion in *H. 3.* time. This goes on this day in the same method. Let a man be of what Quality he will, if he be too big to be your Member, he is not to be chosen. To scorn the Commands of the House, and to be too big to be a Messenger of the House of Commons; Secretaries are sent of Messengers every day, and is he too big a Messenger to accuse a person of the Popish Plot? His words seem to import, as if the King

would not have the prosecution of the Plot. If his be so, sit no longer here, but go home. His Character is great, and he may be privy to things hid from us, by this extraordinary carriage. Are we come to that pass, to be death-wishal, as none of our Predecessors ever were? If my Brother or Son dealt with the House thus, I would call him to account. For ought I see, he provokes the House more by his Explanation, therefore pray go on.

Sec. 7. I am as ready, and think my self as much obliged to obey the Commands of the House, as any man here. The Office I have excludes me not from it; but the thing I stand upon is, that the Motion was carried on in Ridicule. I have an Honour for this, and ever had for all Houses of Commons; but in this Message I must and will be excused.

Sir H. C. Ridicule is not a word proper for a House of Commons; and what is appointed by this House, is done with all gravity, especially where the life of a man is concerned. We are in an unfortunate Age, now things come to more light than before, that it should be said that Impeachments strike at the King, that the Dukes Bill, &c. is aimed at the King; I am sorry to hear it said here, as well as in other places. This Employment he is put upon, is for the Kings Service, and he tells you it reflects upon the King. All is reversed, if what the Commons do, must be as if it reflected upon the King. I have all imaginable respect to the King: but, Sir, we are in a Ship, and we have to do with the Master, and he with us. If this Gentleman would make any
sort

sort of excuse, I would willingly accept it; but he has not taken off his Crime, but rather aggravated it. If he have nothing farther to say, he must withdraw, and then you'll have a Motion made for the Honour of the House.

Sir T. M. I know no other difference in any person here; if the Secretary said, I thought it reflected on the King, a man may be mistaken in his thoughts; and in case it be so, he would suffer any thing under that reflection. He said it was his thoughts, that the carrying the Message was a reflection upon the King, and in that case would suffer any thing rather than a reflection upon the King and his Character.

Sir J. E. 'Tis an ill thing to stumble at the entrance; I hope the Secretary intended no disservice to the House, but on a mistake: I did apprehend it, and some others, that it was in jest. But in jest or earnest, one ought to obey the Commands of the House; but every man cannot subdue his own Heart. But I would know upon farther consideration, whether the Secretary will undertake this Service or no. I am the worst Advocate in the World for any obdurate person. But I humbly offer, whether the Gentleman will serve you or no before he withdraw.

Ernl. removed from his place and whispered with the Secretary.

Sec. J. Since the House is so favourable as to hear me, I shall only say, that I did apprehend sending me with the Message to the Lords, was a reflection upon the King; if I did apprehend

hend it a Reflection upon my Master, I could not but relent it. I am heartily sorry I have incurred the displeasure of the House, and I hope they will pardon the freedom of the Expression. I apprehended it a Reflection upon the King, and no other Consideration whatsoever induced me to say the words.

M. F. I look upon this has come from the Secretary, as so great a Reflection upon the House, that he ought to come to the Bar upon his knees, and ask pardon of the House.

H. B. We are all subject to Infirmities; seeing that the thing is so, the Secretary could not apprehend any Reflection on the King by sending him with a Message, but he might apprehend it on himself; it was a little smilingly moved: but since he has explained himself, I would have this, &c. pass by, as I would on the like occasion desire for my self.

Ld. C. The Gentleman's Fault is a great one, but that after he has begg'd the pardon of the House, I am willing to pass it over. Though it be a great Fault, yet 'tis too little to give occasion of a Breach at this time.

Sec. J. I am ready to obey the Order of the House, and I am sorry my words gave offence.

So he went on the Message.

Col. B. We ought all to give God thanks for this Discovery of *Fitzharris*, next to the first Discovery of the Plot. It is a great Service to the Nation, and 'tis not the first that Sir *W. Waller* has done. If ever the Thanks of the House was deserved, it is for this Discovery; and I move Sir *W. Waller* may have the thanks of the House. *Ordered, vide the Print.*

Saturday,

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Saturday, March 26, 1868

Order of the Day, vide Prima. 1797
SIR A. C. T. Confess I have been full of expectation of some Expedient to secure the Life of the King, and the *Protestant Religion*, without the Bill for Excluding the Duke, &c. My expectation is from those who opposed the Expedient of the Bill, (for I can call it no other wise) I have in my weak Judgment weighed all Expedients I have heard of, and they seem all to be a breach of the Constitution of the Government, and to throw us into disorder and confusion. I have heard that it has been an ancient usage that Members have consulted their Cities, Boroughs, and Counties in any thing of weight, as well as giving Money, before they resolved it. The Practice was good, and I wish it were continued; and we can discharge our Trust no better, than in observing the direction of those who sent us hither. I received an Address from the City of London (having the Honour to be one of their Representatives) in the matter of this Bill of Excluding the Duke, &c. I heartily with some Expedient may be found out to save our Religion without it. But I must pursue my Trust, therefore I move a Bill may be brought in to Exclude all *Popish* Successors, and in particular, *James Duke of York*.

I. D. R. I have the same Obligation upon me, as the worthy person that spoke last, from the County I have the honour to serve for. I have

been long of Opinion, that nothing but this Bill can secure us from *Papery*. In the long Parliament, ^{as} was said, that the Duke was a *Papist*; and the danger of his Power will be more now, and every day informs us of the sad consequences of it. I should be glad if any thing but this Bill could secure us. I know nothing else can, therefore humbly Move for it, &c.

R. M. The security of the *Protestant* Religion, and the preservation of the Kings Person, is of so great weight, that we should not have flaid to this day to Exclude the Duke; but I am sorry to hear that Language, that because the King has said in his Speech, he will stick to his former Resolution in not altering the Succession, and proposes a kind of Expedient *Exigent*, but in this we are not used as an *English* Parliament, but a *French*, to be told what we are to do, and what not: it is the greatest Arbitrary Power in *England* to cow a Parliament, which may be was in design to bring us hither; but he we called so *Fork*, or any part of *England*, I believe we shall be the same men we are here, and were at *Westminster*. My Lord Danby Dissolved the long Parliament, and said, he had spoiled the old Ropes; and had took away their false Dice; and then started in the new Ministers, and they shuffle and cut again, and Dissolve Parliaments, till they can get one for on Disinheriting the Dukes; sure no Father would scruple to Disinherit a Son, or a Brother, nor turn away Servants that would ruin him. If Bishops and Counsellors would speak plain, they cannot answer deserting our security, so

so long. But neither the Ministers of the Gospel have endeavoured the preservation of our Religion, nor the Ministers of State the Government, both acting against Religion and Safety of the King's Person: And I have no expectation of our safety, but the Bill to exclude the Duke; and therefore I move for it, &c.

H. C. If this Debate must be proceeded in with the Regularity and Circumspection it ought to be, you have transgressed the Order of the day already. Several Gentlemen tell us, that there is no Expedient, but none tell us what is. All men believe the Religion of the Duke is as fatal a thing to the Nation as can be, should he come to be King; and what do they deserve that perpetrated the Duke? But let us consider what depends upon this House, and let us proceed like men. If we are of opinion, that Exclusion of the Duke is the best way to preserve Religion, this House cannot do it alone; if we cannot have that best way, we are guilty to our Country, if we take none. If a man be sick, and so ordered that nothing must be taken but by direction of three Physicians, and two are for giving him the Jesuits Powder, and one against it, and he thinks he does the duty of his profession; but they all three not agreeing in it, must the Patient take nothing? And we are but one part of the Legislature power. But for Expedients, I remember in the Dutch War, the House went into a Grand Committee to consider Expedients for raising Money, to save Land-Tax. A man whoever he be, that proposes an Expedient, will

will desire leave to make good that Expedient, and must speak it may be often so it; but if it prove to be none, that man will be transplanted upon. A Committee of the whole House will be most proper for this purpose. If there be a dispute which question shall take place, if the first be denied, the other may take its place; but not one to exclude all the rest, as this Bill will do. Let it be Exclusion or Limitation, or what it will, your Order is general, to find out means against Popery, and Preservation of the King's Life. When men pretends on so fast, they may come late into their turn by citing their Histories. Let a Grand Committee try Expedients, else 'tis not *chessellars*, but *discreet*. I am of a contrary Opinion of having this great matter Debated in the House, and for the Reason I have told you; and if, Gentlemen, you will do reasonably, a Grand Committee is *your way* to proceed in.

J. S. You have had Motions proposed for Expedients, but there is not a word of Expedients in the Order, and that answers it. (*The Order was read.*) Those who were then present when the Order was made, have left it free for a Bill, or any other thing; and therefore they are not tied to have Bills, or offer Expedients against Bills. To the number of the three Physicians, that two could do nothing without the third, though one was for one thing, and another for another; if the case be such, that the two in the judgment of the third, did offer nothing to the sick man but what was Mortal, he ventures upon his own Disreputation to joyn with them. However, the three Physicians

ans do not agree; we never yet saw any thing from the Lords in answer to this Bill; all Expedients have hitherto been to increase our Fears of the King, and to hasten our undoing; and when all was at stake, to have Parliaments Dissolved, that was an ill Expedient. Those who were near the King, and altered their own Judgments, and are come over to this Bill, &c. they are all put away; and those about the King now are for Expedients. The Council of the Jesuits, they have their end, by disappointing the Kingdom, and by raising the Fears of the People, either to take up with a false Security, as good as none, and so to impose Popery upon them that way; or to bring the Kingdom into disorder. When Religion, and Laws, and all are at the dispose of a Popish Successor, the Kingdom will be in great disorder, that the Protestants will not be able to enjoy them quietly; the Papists have no surer way to effect their end. For the House to go into a Grand Committee, 'tis a Motion of great Weight. If you deny it, it looks as if you would precipitate and deny free Debate: If you accept it, you will lie under the Inconvenience of Delay; and who knows how long we have to sit? If we were sure of our time, to sit two or three Months, I would be willing to go into a Grand Committee. But as to the ill umbrage of refusing a Committee, 'tis not like other Cases. I would have an Instance, if ever in a thing of this weight, the House went into a Grand Committee. This Matter of excluding the Duke, has been depending two Parliaments, and any other way for out

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Security would have been accepted. Nothing else could be found out the last Parliament, the whole Kingdom was satisfied with nothing else. And now, what reason is there to go in to a Grand Committee, for a thing so often debated to the bottom? No man can deny, but a Grand Committee is proper, when something of an Expedient is offer'd; but to offer it generally, is as if the thing was never consulted nor debated before. I never saw any Expedient but this Bill, nor any Reason offer'd against the Bill, but set it aside, and think of Expedients. Therefore, pray proceed according to the Order.

1786. If any Gentleman have Expedients, I desire he would propose them; if they be of any weight, they will deserve well of the House, if it seems so, then they will give us security, I would be glad to hear them.

1787. E. When the Motion was first made for going into a Grand Committee to hear Expedients, &c. I did then second it, for this Reason, because of the Honour of the Place I serve in. I did understand by the King's Speech, there was Expedients. I am unwilling to determine the sense of any man, who am of the weakest: But a Motion was first made and seconded for a Committee of the whole House; and when this is done, I shall offer something.

1788. A. I must speak again that Question of a Grand Committee, pray keep to the Order of the Day. Expedients that have been moved for already, as the Jesuits Powder for an Army, &c. but our Dispute is a Plurise, and we must let Blood. Let us go to what will do our

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Business, and it may be we must have other Expedients to forsfie the Bill. I would have the House rightly understand, that those who are against going into a Grand Committee, are for excluding the Duke from the Succession; and those who are for a Grand Committee, are for him to succeed; and put the Question if you please.

Sr F. R. To exclude the Duke from the Succession, &c. that is a good Expedient to prevent Popery; pray let that, or others that shall be presented, be considered.

Sr T. M. If there be but one Expedient offered, I do not think that Ground sufficient to go into a Grand Committee to consider it; but possibly there may be several. This Bill is agreed to be an Expedient; and I have known, that in a business of less weight than this, you have gone into a Committee, &c. If an Expedient must be offered in the House, you cannot but allow Gentlemen to make Replies in a fair Debate, or answer Objections. And if you in the House will depart from that Form, the House or Committee are equal to me. But our Debate is broke; one Gentleman said, he would be content with a Committee, if not intended for delay. I do not doubt but this day will have its full effect. When 'twas moved on *Thursday* last, for this day to take into consideration the Preservation of Religion without naming Bill or Expedients, it gave a great Credit to your Work. I would have no discouragements upon People that have Expedients, by not going into a Grand Committee,

R. H. We are perplexed in having several Questions on foot. I shall put you in mind That this Bill now proposed, is no new nor strange thing. Our business, I suppose, is to find out Expedients to preserve the Protestant Religion, and the King's Person; here is a way has pass two Parliaments already; a way no reasonable Objection has ever been made against it; and a way rejected by the Lords in gross, without offering any other. But I doubt, if other Expedients be cried, if they prove false, we shall endanger the Protestant Religion. Some have said, that Gentlemen apprehend they have Expedients; why then may they not be propounded, that the House may judge whether 'twill be worth going into a Grand Committee to consider them? But if Gentlemen will have it their own way, or not at all, I'll tell you how this looks, as if they were something one way, and nothing another: but he does not discharge his Duty to his Country, that does so; therefore if Gentlemen have any Expedients, pray let them offer them.

Sir J. E. If the House be of a mind to enter into a Grand Committee, I shall offer my little Mite, as 'tis every Man's duty to offer Expedients that has any. I doubt not but other men have, and better than me; but if we go not into a Grand Committee, I shall offer what I have. I do apprehend by the Bill proposed, that 'tis a Bar to the Succession of the Duke, and places the Succession in the next Heir. I shall propose, if you please, not the Name of King, but the Power, as a Regency, in the next Heir: 'Tis no new thing in *Spain*

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and *France*, and (God knows) we have seen it done in our Kingdom. If the Administration be placed safe in the Person, that may have no power to resign to the Duke, and may have full Power and Authority at the Death of the King to call that Parliament which last, who shall have time to sit to confirm this by Act of Parliament. I hope this may be done, and may be done safely, if you can contrive such a way.

Sir N. C. As I understand, 'tis propos'd, that the Government shall be in Regency during the Duke's Life. I would be satisfied, if the Duke will not submit to that, whether those that fight against it, are not Traytors in Law.

Sir W. P. I think this you are upon a Matter of great weight ; some Expedient has been offered you, I believe as yet but a crude one, and I cannot imagine will ever be an effectual one. He that moved it, tells you, he hopes, when drawn into better form, it may do what you desire. It excludes the Duke, and in his place, the next in the Succession shall have the Regency in him.— But our last Act left it in the Law. Consider what is a Regency ; I never heard of it, but of a Prince in possession, in Minority, or Lunacy ; and it has generally been very unfortunate. But to talk of a Regency in *future*, in condition and limitation of time, I never heard of. This Expedient does not answer the King's Speech, nor your former Bill ; they make the King but a Shadow, and they divide Person from Power, our Law will not endure it. The Person divided from the Power, both will be courted ;

and who that next Heir will be, we know not. The King leads you to consider Expedients, but such as will consist with the safety and dignity of Monarchy. This must be two Kings at the same time, one by Law, and another by Right. *Portugal* gives us some instance of Regency, where the King was put into Prison for Miscalriages in the Government, and his next Heir made Regent; but there is a vast difference in these two Cases. The King of *Portugal* was set aside for personal Miscalriages, not for being a Papist; and which is another thing, that was present, this is to come. If this Question be to let the Duke in, and then make a Question whether Allegiance be due to him; but I am afraid, that unless we be true to those we represent, from whom by express direction, most of us are to pursue the Bill, &c. we shall not be avowed in what we do. The Bill, &c. has been under consideration of all the people of *England*, and perhaps all the Protestants of *Europe*; all the Wits of Learned Men have made their Objections against it, yet notwithstanding all people are still of the same mind.— And now we run upon the most misshapen thing, which it may be two or three years before we understand it, and we may expect to have an operation of it, no body knows when, I see very little weight in it, unless improved by some other person, therefore I am for the Bill.

Sir T. Little. We are flying at a great matter. To fight against the D. if he should be King—God forbid.— We have been told three or four times of Directions Gentlemen have had from

from their Principals, to be against all those things of Expedients, and to insist upon the Bill of Exclusion, &c. I would not have that way much cherished, 'tis an uncertain thing; and no Footsteps remain of any Papers from their Country. I take the meaning of that going down, is to consult their Neighbours for Direction what to do. I hear talk to day of Parliaments of *France*, but this way is dangerous; like the States of *Holland* to consult with their Principals before they resolve, most unusual and of very dangerous Consequence. A Regency has been proposed to secure the Administration of the Government in *Protestant* Hands, so as not to alter the Constitution of the Monarchy; and this alters the Constitution of the Monarchy the least imaginable. A Regency in room of a King, and the Monarchy goes on. We have had Regent Protectors, call it what you please, *Primum Consiliarium*, in case of a Minor Prince; but I propose not this. If you alter the Government, I am against it; but here is offer'd a Regent in place of the King, or transferring the Government. But it may be said, Where shall the Duke be all this while? That Point I think is pretty well over, there is no design of Seclusion.—The Lords would have banished him 600. Miles from *England*.—The Duke has an Estate, and he, as all men besides, loves it, and will not part with it, and will do nothing to forfeit it. But your Bill of Exclusion secures the Duke, and the Crown then is to fall as it does fall. What is then the Case? You must imagine, either his own Daughter will take up Arms, if

the D. attempt the Crown, or somebody else will, to keep him out; and that will raise such an Anger in the Duke's mind, whither will they shelter themselves? Not under his Daughter; they must naturally shelter themselves and run into Arms. *Cromwell's* way was to keep up an Army of Sixty Thousand Men for his Security, especially an Army shelter with Victory—And they that have it, will keep it. We are not in the Condition we were formerly, when the Lords cherished their Tenants by good Leases, they could raise an Army, and send them home to their Houses when they had done what they were raised for: But we are now in another way; raise an Army, and they will think of their own Interest to be kept up. But if it fall out thus, your Bill leaves it very loose.—As soon as this Bill is pass'd, suppose the Regency established in the Prince's of Orange, or the Lady Ann, and in the same Law a Commission be sent over to take an Oath from her strictly to execute this Law, you are then not left in that loose manner you will be by the Bill, &c. It will be a far less matter for her to save a Family, before Misfortune come upon it, than to take the Government upon her afterwards, in the trouble of an Opposition. But it may be said, What needs all this, 'tis just nothing but retaining the Name of K. in an exiled Man?—But 'tis less violation in her to govern in her Father's Name, than to take the Kingdom from him. It may be wondered, why in *Portugal*, upon deposing that King, there was a great Debate of the three Estates (though they hold not the proportion

as they do here.) In this great Debate, the Commons were for *Don Pedro* to be King, the Nobility to have him Regent, the Ecclesiasticks demur'd ; but at last both came over to the Nobility. But *Don Pedro* stuck here, and would still leave his Brother the Title of King, and would leave nothing of shelter to force Nature too far. There are Reserves in the King's Speech, I cannot but take notice of by the way. There is another thing to be considered. Some will be paying a deference to the Sacredness of a Crown, for Governments sake. This Objection looks like something, He is like to be five hundred Miles off, &c. and a Law to take up Arms against him.— How was that Law, that the King and Parliament have Power to dispose of the Crown ? It was then an Opinion amongst Lawyers, that the Crown was unalienable ; but when that Law was made, that Opinion was damn'd under a Penalty, though 'twas a standing Maxim before that Statute was made. If so, this new Act will be a Warrant for what is proposed, as that was for the other. For my part, I have had the ill Fortune to have the Wind in my Face, and to be against the general Opinion and Scream of the World ; and having had for some time no share in the Government, I may speak possibly more freely than they that have. 'Tis a great Crime to spy things too soon, which makes men apt to run from one Extreme to another. I have propos'd the best Expedient I can, and most safe ; but I am afraid, if you do nothing in this great Affair now it is started (I'll grapple with neither of the Expedients) but
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if you do nothing but let the thing lie loose, you'll gratifie the Jesuits by our confusion, and the Commonwealths-men to shuffle the Cards again; but if you go into some Medium, both these sort of men will be undone.

Sir W. J. I have heard with great Attention this very learned and able Gentleman. I am really of Opinion, if any better Expedient could have been found out, than what has been proposed, that he as soon as any Gentleman would have proposed it. But I am amazed, that so learned a Gentleman should not see through this Expedient. That which I take for the Expedient, is, the Duke to retain the name of King, and the next Heir to be under the title of Regent or Protector. What does he mean by next Heir? For any thing I know and believe, it is the Duke's Daughter; but it may be the Duke may have a Son. Either I have a great Cloud upon my Understanding, or this is strange, that if the Duke have a Son, and shall he at a Day, a Month, or a year old be Regent? Suppose the Princess of *Orange* come over, and she die, (the Prince of *Orange* has no Right to the Regency) and she leave a Child, and that Child be Regent, that Child must have a Protector, and so there will be a Protector of a Protector. But, Sir, we are told, that nothing but to keep up the Greatness of the Government makes them go from the Bill of Exclusion to this Expedient. But is it so great and pleasing a thing to wear a Crown, and be called King, and have no Authority? It is much worse than to lose an actual Crown and the Possession of it. If the Bill pass, and the Duke be banished

nished 500 Miles off, it must be out of *England*—if the magge will, please him, in *Civility* beyond the Sea he shall be King, and it will be as much to his purpose beyond the Sea to be called King only, as here.— But for the Security of his Estate being there: He that would venture the loss of a Kingdom for Religion, will his Estate too: that's but a weak tie, It is less justice to take away the Crown and Power from him, than to have of both but the Name. If you allow the Duke the Name, it will imply a Right, therefore for that to be used as an Argument is strange. But why is this Contention, and all this ado, I wonder, for an empty Name? But I am afraid this Expedient is a kind of Jesuits Powder (I do not think the Gentleman's intent or opinion is for the Jesuits) but a wise man may over-do sometimes.— If you do not exclude the Duke's Title, the Duke is King still, and then will Learned Lawyers tell you, that by 1 H. 7. all incapacity is taken away by the Possession of the Crown. If you take not away the Discent of the Crown, and that the Duke has a Tide to be King, then without doubt all incapacities fail,— but if the thing may be effectually done, I am as willing to exclude him the Name, as well as the Power; but Lawyers know no distinction.— When the Lady comes to be Regent, not only Nature, but Conscience will put her upon giving *Cæsar* his due; and perhaps that Text some of our Divines will preach upon. They'l say that the Parliament by what they have done, acknowledge a good Title in the Duke. But if he be King, as the Parliament

allows

allows him to be in Name, he has right of Descent, and so will be restored to all the Rights of King.—An Argument upon Queen *Mary* like this, restored the First-fruits and Tithes—Another thing perhaps may come from them that proposed this Expedient, (I do not believe it came from that Gent, &c.) if you had pass'd the other Bill, great many would not submit to it; but if you pass this, if the Duke have right to be King, and be kept from the Administration of it, I doubt whether I shall fight against him. And the Papists will say, you have got a Law to separate that which is inseparable. I would, if I were as the Duke, have this Bill to perplex my opposers, rather than a clear one. He has told you of an Army to maintain the Bill, &c.—which will not soon be laid down. But why an Army?—If there must be an Army for your Bill, there will be four Armies requisite to maintain the Expedient.—A Protector has been proposed, not like that of *E. 6.* who was little more than the now Lord President of the Council.—But certainly they who proposed the Expedient, would have by it the same Power of letting in the Duke, as of keeping him out. Therefore I move to lay aside this Consideration, and take up the Bill as has been moved for.

L. G. I think it is fit we should present Reasons to the King for passing this Bill of excluding the Duke, &c. I do think that the Administration of the Government has been in such hands since the King came in, that tho' the Ministers have been changed, yet the same Principles remain to this day, though some have

have been removed.— The breaking of the Triple League, the taking of the *Dutch Smyrna Fleet*. The King of *France* makes War for his Glory, and we for nothing but to get Riches to make the King Absolute. Such a violation was done upon the Rights of the People as has been done.— *He was called down so Order—*

E. V. A Question so extremely well spoken unto, to be interrupted with any angry Question, is not very decent at this time; what is spoken of, is matter to be enquired into another time, though the Gentleman does it with a worthy intent. If any Gentleman have anything else to propose, pray hear him.

[*L. G. goes on.*] I intended to move you for Reasons to induce the King to pass this Bill. The strange and dishonourable Retrenchments made in the King's Family.— He is surrounded by the Duke's Creatures.— 'Tis not safe for the King to part with any one Minister, unless he part with all; and when these men have got a bank of Money for a Popish Successor, then will be the time to take away the King.

Sir F. W. This we are upon is a matter of great weight and difficulty. Let any man that can, maintain this Expedient, or give you a new one.

Sir T. M. I have heard with patience *this Expedient*, which has been well offered, and I believe mistaken by the Gentleman who answered it: I must say this, your Question and your business is *Religion*, and I have given as good proof of my Zeal for the *Protestant Religion* this twenty years as any man has; and I

I have been for this Bill of excluding the Duke, &c. I am of opinion something must be done to secure Religion. For the point of Law then, strictly, if the Law be such, *Two Depositions may* *two with the Name of King*, that single Reason is to carry the Debate. But if I answer not that, I am at an end. But sure those words that can dishonour a King, may make this *Exposition* Law. I would not rise now, if I thought the Bill to exclude the Duke, &c. could pass; my grounds are but Conjectures! The last *Parliament* I did think this Bill would pass with greasing the Wheels. The condition of *England* is thus: we do need one another, both *King* and *People*, and we have need to make use of *Parliaments* to assist one another, to relieve us in the difficulties we are in. If the Duke should be *King*, he will need a *Parliament*, and so will the People. In order to this, if another *Exposition* can be found out as like this, though not the same, which no Objection of Law could destroy, he would do the King and Kingdom great Service and Advantage who would produce it. In this necessary we are like two great Armies encamped upon two Hills, and neither dare remove, nor for want of Valour, but from their Reason: He that has the last Loss stays longest, necessity compels the other to discamp. At last it must be one side or other, or else *England* will have the worst of it. But if none will venture to clear the matter in point of Law, I am answerell. If any could alter that Bill that it should not be the same we have had twice before, I should like it. I like this *Exposition* offered you for *in a Bill of*

Exch.

Exclusion, and so among a one, that the Duke may choose the first rather. I am for the Nail that will drive so do our business. If Gentlemen have other Thoughts, pray so contrively, that we have one Bill or t'other.

W. H. All the *Expedients* I have heard yet, and like a *Cucumber*, when you have well dress'd it, *there is away*. These Gentlemen tell you, they will bring in a *Bill of Excluding the Duke, from the Regency*, &c. This Proposition is either bad, best or not; if it be best, and without Dissign, then all the Dispute betwix the King and Us, will be, Whether the Duke shall have a Title to the Crown. But I hope the King will rather graisse the Nation than the Duke. If this be not honest, and People about the King circumsentions, they will find means from day to day to divert him. Why were *England* so fond of *Calais*, but to have some Footstep into *France*? And so this Bill, let the Bill pass, and all those Gentlemen who have dependency upon the Duke, if he come no the Crown, will change matters, and goe to ground.

Sir F. W. A worthy Member not being satisfied with Arguments of Law against the *Expedient*, that calls me up, as in my Proposition. The Question about this *Bill of Exclusion*, that 'tis lawful in Conscience, we must will oppose: The great opposer of it, the *Lords House*, agreed it lawful when they thrust it out. — Not sure *Divina* unlawful *conscientibus* is qui *conscientia debent*, as *Sage*, Gentlemen told you, their Country gave them Instructions to press this *Bill of Exclusion*, &c. *Sir A. Litt.* said, it was dangerous to take Instructions from

from the Country; but I say, 'tis much more so take it from *Court*. *Parliament*, formerly upon any extraordinary matter, staid, and sent their Members to consult with those who sent them. I am not subjugated (when I am here) to what the Country does propose. I am as much against a *Republick* as he that fears it; but I am a Protestant. I say, I know Sir T. Little to be of that Experience and Reason; that if he go away satisfied in this matter, he will do all the good he can in the Post he is in. But to keep close to this Question; it being allowed by Law, *That an Exclusion of the Duke from the Crown may be*, the next thing is to consider the Expedient of the Regency proposed. The same Authority that can make a Descent of the Crown, may modify it. He argued to shew that the Regency would make the Duke insignificant in the Administration of the Government. Now the Question is, which is the most practicable! We Lawyers are aptest to go on the strongest side, and to call every thing Prerogative. I'll put you a case, in King James's time the Sheriff of—, there was an exception in his Commission, that he should not keep the County Court of—, but should have all other Exercises of his Office. But the Judges resolved he was Sheriff to all intents and purposes, and that he could not be hindered keeping the County Court. An Act of Parliament against common sense is void. To make a man King, and not suffer him to exercise *Kingly Power*, is a Contradiction. Some clauses formerly in *Acts of Parliament*, were raising clauses to satisfy the people, and not

let

let them have the thing. Should this of the *Expedients* be an *Ad*, 'tis nonsense, and may be said hereafter, the House of Commons were outwitted. I owe the *Duke* obedience if he be King: but if he be King, and have no power to govern, he is the *King* and no *King*. I have urged this to shew, that this is no *Expedient*, it blears only peoples Eyes, and is no solid security. To say the *Duke* values his Estate, which he may forfeit, &c. He loves a Crown too very well, therefore you are not to arm your self in point of Conscience, but in point of Reason. The last *Parliament* I did see, by the management of the *Papists* and the *Ministers*, that without the *Bill of Exclusion*, our ruine is irresistible. If the *Duke* come to the *Crown*, he brings with his Religion *Morum Imperium*, and that made me fond of the *Bill*; but if by Law the *Duke* never was King, there is no Case of Conscience lies upon us in his *Exclusion*. I will only make this Observation of the *King's Speech*, in relation to this Question—*And if it be practicable, the ridding of our selves quite of that Party, &c. and not to lay so much weights upon one Expedient, as to determine all others are ineffectual. Vide Speech.* The two main points (it seems) the *King* doubts himself, and all this delivered by the *King* in great Wisdom, is clipp off to this *Expedient of the Regency*. You see now we come to *Expedients*; the *Ministers* have had two *Parliaments* to consider it, and now we are come to this *Expedient of the Regency*. I find no security in Law by this *Expedient*; you take away nothing by this *Expedient*, and therefore

I hope the Bill of Exclusion will pass. I hope that Reason, and not great Offices, will take men off from their *Nemine contradicente*. I speak this as if I were a dying man, and humbly move for the Bill, &c.

H. B. I have it in command from my Country, *That they apprehend no Expedient to secure us from Popery, but that the Remedy will be worse than the Disease, unless this Bill.* I have heard as yet no Reason given against it. But there is an *aliquid lateri*. If the D. be not set aside, I am sure the Government will be; and therefore I am for the Bill of Exclusion, &c.

Sir T. M. I know not how far Sir Fr. W's. Argument may be press'd, what Bill soever we may have. Pray let us have the *Law* on our sides, that if the K. should dye, we may know whether we are to go. I think the K's *Speech* is penned as it ought to be penned; and should a K. speak positively to what *Laws* He would have, we are an *English* Parliament, and not an *English*; but the K's words are tender words. The thing lies fairly before you, if any *Expedient* can be thought of, not to destroy the *Monarchy*; and if the next presented be not the best, not to refuse the next.

E. V. You have had an *Expedient* offered you of a *Regency*, &c. instead of the Bill of Exclusion, &c. Pray consider what this *Regency* is. 'Tis the whole Office of a King, to appoint *Judges*, call *Parliaments*, &c. This Power they would take away from the Duke. But if by Law they will reserve the name of King to the Duke, 'tis to bring a War upon us, and to bring the Duke in by force. This *Regency* must

be

be supported by War, as well, as the *Bill of Exclusion*. By the 13 *Elix.* the *Crown* is not alienable by the K. but may be alienated by *King, Lords, and Commons*. And when that Statute was made, no Successor was named, to keep *King James* in awe; which I conceive was the Reason why none was named in the last *Bill of Exclusion*. Though we have been frightened out from that *Bill* by *Prerogations and Dissolutions*, yet 'twill not frighten them whose Reasons go along with it. And I am for that *Bill*, because all men are for it, and have sent up the same *Parliament* again that pass it. But if you lead people into uncertainties in the Government (as this Project of *Regency* undoubtedly will do) the *Court* and the *Country* will be of a mind to lay aside *Parliaments*, because they are useless.

Sir H. C. Peoples Eyes are now enlightened, and all the World over they are an informed People. The *Papists* are not who is K. if he be a *Papist*. And so be proceeded much to the same purpose in several Speeches in the last *Parliament*.

Col. G. L. I would not have spoke so much out of Duty to my Master, but for the Duty I owe to my Country. I owe a new Obligation to the K. for I am the D's Servant from the K. My Father was a Servant to the late K. and *that*; and I have my Protection under Him. I was bred in *England*, and for his Service at Sea. I know my own weakness, not being bred to the Law; but by inquiry I find, that the Doctrine of disposing a Kingdom from the Right Heir is damnable; and 'tis the Doctrine of the Church of *Rome*. I have heard, that in the 24 E. 3. the K. demanded Advice of the *Parliament*, in mat-

ters relating to the Crown. The Answer was by the whole Parliament, *They could not advise in any thing relating to the Crown, nor of Disinheriting Him to whom they were sworn.* The Fundamental and Common Law of England, has made the Duke Heir to the Crown, if the K. have no Sons. The Title of *Hen. 4.* was confirmed by *Parliament*, but he laid his Claim of Descent from *H. 3.* and it continued in that Descent till *H. 6.* and then the *Parliaments* declared that those *Acts* were not binding, but unjust; and declared the Oaths of Allegiance to those Kings infamous and wicked; and so the Right Heir came in. *H. 8.* had Power to dispose of the Crown, by his last Will and Testament, to place and displace the Crown at his pleasure, yet all his right Heirs came to the Crown, though *Jane Gray* claimed it by virtue of that Will, and baited her Title with Religion. *Queen Elizabeth* made a Law, *That whoever did maintain, That the Crown could not be disposed of by Parliament, should be Guilty of Treason, &c. and for ever after of Premunire.* But since that, there is a Restitution of King *James*, which acknowledged him lawfully, rightly, and justly the next Heir to the Crown, and did beseech the K. to accept of their Allegiance to him and his Posterity. And I think our Ancestors swore to the K. and his Posterity, as well as we. 'Tis a great Happiness to this Nation that both the Lines are united, and that we are rid of the Misfortunes of the *Barons Wars.* We have had Attempts to turn the Government into a *Republicque.* And who knows but that if you put by the Right of the D. the Revenue of the Crown being

being much upon the People, but that there may be Attempts to turn the Government into a Republic again? When my Father was in Prison in the late Troubles, an eminent man then in Power, in Discourse with him, said, *I have obliged you, and if the K. come in, as I believe he will, then think of me; Look to your selves when you are in the Saddle again: If once you divide, adieu to Monarchy for ever.* If you keep out the D. what must follow? *An Act of Association;* I speak now for *England*, and for my Posterity (I have seven Children.) How will this look? The Kings Father Murder'd, and his Brother taken from Him; Will this take no effect with the King? I wish the Duke many happy days, but the King more from my heart than the Duke. The King is a healthful Man, and the Duke is not. I am not barely the Duke's Servant, which makes me concern my self, nor out of pique of Honour would I do any thing to destroy my Posterity. Therefore I am against the Bill, &c.

Sir W. C. That which calls me up, is to answer something that was said by the worthy Member that spoke last; I am for the Bill of *Exclusion*, (and was so the last *Parliament*;) because I am clearly satisfied there can be no Security without it: But I must so far agree with him, that this Bill (if it should pass) will not be a full and complear Security. But *—* Here being an interruption by a noise in the House, this Gentleman proceeded no further.

Col. B. This is the day of *England's* distress, and not only *England*, but upon this days Debate depends the good Fate of the *Protestants*

Religion all the World over. Except you expect a Miracle from Heaven, nothing else can save the *Protestant Religion*, but this *Bill of Exclusion*. I think I have said this many years ago, that *Papish Matches would bring in Popery at last*. As to the point of Law (spoken of) that will be interpreted according to the strength of the Party—— But I doubt not, if we do our endeavours, God will help us, if we have nothing left us but Prayers and Tears. We are in condition of Conquest or Compact, and so is all Government. Interest must defend this *Bill*, and not an Army; we are the Army. I have a Family as well as others, and where Idolatry must be set up; and rather than my Children should breathe in such an Air, I had rather they were buried, and had all the mischiefs in the World. Col. L. ingenuously offer'd some things; but without this *Bill* you may sit down, take a *Papish Successor*, and renounce the *Protestant Religion*. I would break this *Papish* Interest, and then Interest will maintain this *Bill*. If once this *Bill* pass, and as in *Queen Elizabeth's* time Protestants are put in places of Trust, you need not fear the disturbance spoken of. Where ten were of this mind, an hundred are now that will bleed for this *Bill*. In plain English, let the World see that the *Protestant Religion* is dear to us, and we shall have the Law on our sides.

Sir T. Litt. I was mistaken by some Gentle-men in what I said; I shall be very short and tender of the time, because 'tis late. That of the Lady Mary's *Regency* obviated an absurdity in the former *Bill*. If the Duke should have a

Son,

Son, where are you then? The Lady cannot descend from the Throne, having possess'd it. But my meaning was, that the two *Princesses* respectively should Succeed in the Regency during the Minority of that Son. *The Bill of Exclusion* is so weak a thing, that 'twill need all the Props to support it. And a train of consequences will follow it. What is told you of *Scotland*, is worth your considering; if *Scotland* be not consenting to it, I know not how you'll obviate that. It unites the *Papists* of *England* and *France*, which we ought above all things to prevent.

H. B. He may be convinced by his own Argument. For by so much the easier 'tis for the *Princess of Orange* to descend from her Authority of *Regent*, so much the less is our Security. And for *Scotland*, the same Interest that passes this *Bill* here, will do it in *Scotland*, and in *Ireland* there is no need of it. By this Proposition of the *Regency*, all Commissions Military by Sea and Land, Church and Law, are to go on in the *Duke's* Name. And if all Dispatches under the Great Seal must go under his Name, we can have no Security. The Oaths of Allegiance and Supremacy can be taken to none but Him; and if that be granted, *That 'tis unlawful to take up Arms against the K. or those Committed by him* — If that be not a true Proposition, I know not why that Declaration was made: It lies loose to me, I must confess this *Expedient* seems to me, as if a man that scorched his Thins at the Fire, instead of removing himself farther off, should send for a Mason to remove the Chimney back. I have heard from

Lawyers, That if a man do make a Freehold Lease, to begin from the date thereof, 'tis void. It would be more ingenious for the Gentlemen to say, If you do pass the *Bill* to exclude the Duke, they will not be bound by it, they will have the D. to succeed; and then I wish they would tell us what will save the *Protestant Religion*. If the Duke come to the Crown, will Gentlemen chuse either to be *Papists*, or burnt, or *hang'd*? I have no disrespect to the Duke, if this Proposal could keep out *Papery*: But if I am to leap over a River, I had rather have no Staff, than a broken one. This can be no Security. If you leave it in the Power of the Council to make War and Peace, and dispose of Money, pray then where is the Government? Either they will be faithful, and keep the *Law of Regency*; or the King must be King but in name, and they the Soul of the Government. I have heard the *Expedients* with patience, and have not been over-hasty to put the *Question*. But I see no Remedy to save Religion, unless excluding the Duke: Therefore pray put the *Question* for the Bill, &c.

The Question was passed.

R. H. You have been moved to add to the Duke's Exclusion, all other *Papish Successors*. This is a Bill on purpose to exclude the Duke only. You may exclude all other *Papists* from succeeding, &c. in another Bill by it self. But I observe, that the way to lose a Bill, is to clog it.

H. C. I shall only observe, that by the last Bill of Exclusion, if the Duke should turn *Protestant*, he will be excluded; and if the Princes of Orange turn *Papist*, he is not excluded. Vid. the Note for the Bill in Print.

In the Afternoon.

An Account given of the Lords throwing out the Impeachment of Fitzharris.

Sir T. L. I See by the Lords refusing this Impeachment, no farther use of a Parliament. They will be a Court, or not a Court, to serve a present purpose.—

Sir W. J. In a Matter so plain, and which concerns the very Being of *Parliaments*, I am unwilling to make unnecessary doubts. If an Action be brought in the lower Courts, it does not hinder that Action being brought in *Westminster-hall*, if no Judgment upon it; and it holds the like in this Case, *Indictments* were brought against the Lords in the Tower at *Common-Law*, and yet was no impediment to their *Impeachment* in the Lords House; but here is no *Indictment* or *Prosecution* brought against *Fitzharris*. We have an Instance fresh in memory: The Lord Chief-Justice *Scroggs*, a Commoner, and not Indicted at *Common Law*, yet the Lords without any scruple accepted his *Impeachment*, so that we need not spend our time to search Presidents. Perhaps the Lords Journals were not made up, but our Members have taken Notes out of the *Minute-Book*—by them we find the Lords have determined a great Point. The Lords Spiritual as well as the Lords Temporal have voted it, which we own not in this Judgment, nor I hope never shall; and we are denied Justice by the Lords Spiritual, who have no Right to vote. This is doing a double Act

of Injustice. And since the *Lords* have taken upon them to throw out the Impeachment of *Fitzbarris*, let us vote, *That the Commons have a Right to impeach in Capital Cases; and that the Lords have denied us Justice, in refusing the Impeachment.* And after you have asserted your *Privileges*, then draw up Reasons for maintaining them. And if the *Dissolution* of the *Parliament* follows, it's the fault of those Men who will not hear our Reasons, and in a Parliamentary way at a Conference shew how unwarrantable the *Lords* Actions have been in their way of proceeding.

Sir F. W. If this Impeachment of *Fitzbarris* was of so ordinary a nature as a *Monopoly*, &c. I should not press upon this matter: But this is not an ordinary Accusation, but that which relates to our *Religion* and *Property*; and how the *Bishops* come to stife this, let God and the World judge. I would know, if a man be impeached by the *Commons*, and no *Indictment* against him, (only the *Attorney General* told the *Lords*, that the *King* gave Directions he should be prosecuted, and no Record against him) whether this is a Ground to deny our Impeachment? If the *Lords* will vote that the *Commons* shall not impeach him, they may as well vote they shall not be Prosecutors; but yet we will be so. This is a *New Plot* against the *Protestants*, of which *Fitzbarris* is accused, and we must not impeach him; in this the *Lords* fairly say, *We must not bear it.* If this be the Case, I desire you'll come to some Vote. You are willing to discover the *Plot* if you could. If the *Attorney General* had prepared a *Prosecution*

in an *Inferiour Court*, and they had proceeded to Judgment, then it is pleaded in Bar to the Judgment of a *Superiour Court*. If our Time be short, (as I believe it is) pray do not delay to come to some Resolution; if the House be satisfied in it, pray make a Vote to assert your Right. A little while ago, when the Duke was presented for a *Papist*, the *Grand-Jury* you know was dismissed by Chief Justice, &c. This seems as if the Lords were bound in Honour to justify the Judges Proceedings- by their own. 'Tis a reflection of weakness in a man, who doubts in a plain matter, and if no man doubts our Right, pray vote it so.

Sir R. H. I am glad we are off from the great thing yesterday, I cannot believe but that the *Lords* have Judgment enough to have cause for what they do, and in this Cause of *Fitzbarris's* Impeachment. In this matter, Presidents you need not search. This of *Fitzbarris* seems to me to be a more dangerous breath than usual, a breath fit to be stifled; there is something in this more than ordinary. If there be so sacred a respect to the common Trials of *England* in *Inferiour Courts*, 'tis strange that the *House of Commons* should be below a common Jury. If in the Case of *Skinner*, and the Fact done beyond the Sea, the *Lords* contended with the *Commons* about judging it, though it was an Original Cause, this was no great value of the Law of *England*. But it seems they value *Fitzbarris*, to keep him from us. When I have heard in all the Speeches to day, that the *Duke* does not go single, and have heard so excellent Discourses to day

of

of that matter, I am loth to mingle my weakness. — But such Counsel as this, the King hereafter will have no cause to thank them, for involving him in the fatality of those Counsels; as if they would make the Libel of *Fitzbarris* the Copy of their Counsels. *Dangerfield* was reputed a most infamous Person; yet if he would speak what he knew, nothing of mercy was too big for him: But *Fitzbarris* is a Man of no Infamy, and yet they hurry him away to the *Tower*, when he began to confess in *Newgate*. Are you so lost, that you have no mercy left for the *Protestant Religion*? This is strange, if the terror of his Condition make him confess the whole *Plot*, and he be taken out of our Hands. We hear of other things, as that the *French Ambassador* had a hand in this *Plot*, which a *Jury* will not inquire into; their Business is only, whether *Fitzbarris* be guilty or not guilty of the *Indictment*. I must confess, that with the carriage of this, I have enlarged my suspicion, for I cannot but suspect unusual ways. The worst of Mankind, with all his Villanies about him, has been pardoned. — Is there in this any provocation given by us? But something depends upon this Man, as well as upon the Bill to day. When you was told by *Secretary J.* He would not carry the *Impeachment*; &c. and the House would make no Breach, by taking any severe Course against him, but pass it over with temper — Iure we must not lay down all Prosecution of the *Plot*, and say, that the *Protestant Religion* shall have no mercy. *Fitzbarris* may merit mercy by Confession; and if his Breach be stopp'd by the Lords, I

am

am sorry that people will say, If it were not for the Lords, Fitzharris might have discovered all the Conspiracy, and the Protestant Religion might have been saved. I Move therefore, that in your Vote you will not only say, *That denying this Impeachment, &c. tends to the subverting the Constitution of Parliament, but of the Protestant Religion also.* And I hope we shall proceed in this with the same calmness of mind that every man does with, who would not lose his Religion.

Serj. M. A Plot we all know has been on foot in England, and I am sure in Ireland too, and what Arts and Crafts have been used to hide the Plot? It began with Murder and Perjury, and false Subornation, and this of Fitzharris is a second part of that. We have sent up an *Impeachment against* Fitzharris, and the Lords deny to receive it. In effect they make us no Parliament if we are the Prosecutors, and they will not hear our Acculation; 'tis strange, when their own Lives as well as ours are concerned in the Plot. The same day we Impeach Fitzharris, the Lords Vote, *we shall not prosecute him.*

— Now when all is at stake, we must not prosecute. If this be so, *Holland and Flanders* must submit to the *French*, and they run over all. This is a strange Breach of Privilege, and tends to the Danger of the King's Person, and Destruction of the *Protestant Religion*.

Sir T. P. This of Fitzharris is a considerable Confirmation of the former Plot; I call it the *Old Plot*, but 'tis still new upon us. This is a confirmation of the Design to *Murder the King*, and the Duke consenting to destroy his own

Brother and our King. I have often heard it whisper'd, that this Plot was *Madam's* Design at *Dover*. 'Tis plain that Justice *Godfrey* was Murdered, and that the Army at *Blackbear* was to destroy the Protestants in *Holland*, and to awe the City of *London*. When *Furber* was in an Inclination to discover what he knew, and two or three Honourable Members went to Examine him, this man was fetch'd the next day to *Whitehall*, and sent to the *Tower*, and so we were deprived of all farther hopes of Discovery. We have received the Information he gave, and now that the *Man* may be in no capacity to discover farther, they stop his Mouth. I Move therefore, that you will Declare, *That if any Judge, Justice, or Jury proceed upon him, and be found Guilty, that you will declare them Guilty of his Murder, and Betrayers of the Rights of the Commons of England.* [Vid. the Printed Votes.]

Sir W. J. Now the House has done as much as is fit for the Lords, but we do not know how *Inferiour Courts* will proceed; therefore I propose a Voice, *That if any Inferiour Court shall proceed, &c.* [which pass, Vid. the Print.] I would not give occasion to people to say, we do things in an extraordinary manner. 'Tis late, and pray let's Adjourn.

Monday,

Monday, March 28. 1681.

The Bill for Excluding the Duke, &c. read.

Sec. 7. **N**O Bill was ever offered in *Parliament* of the like nature, so much against the Justice of the Nation; it condemns a Man never heard, and then 'tis a Law made *ex post facto*. — Very extraordinary — against the Fundamental Justice of the Nation; and not only that, but against the wisdom of the Nation, and will introduce a change of the Government. If the Duke will try to cut this Law with his Sword, if he overcome, he will have the same power to set aside all Laws, both for *Religion & Property*: the power will be in the hands of the Conqueror, and certainly he will change the Government. 'Tis against the *Religion* of the Nation, which teaches us to pay Obedience to our Governours, whether good or bad, never so faulty or criminal. In Primitive Christianity, Obedience was paid to Heathen Princes, *in licitis & honestis*; and we are not to do evil that good may come of it, nor on the prospect of any good. I shall say one word more, 'tis against the Oaths of the Nation, of Allegiance and Supremacy. The Duke is the King's Lawful Heir, if he have no Son, and in the Eye of the Law I am sworn to him, and every Oath is in the sense of the Law-giver. If this Disinherison pass now into a new Law, who dispenses me from that Oath to the King? Possibly I am too tedious, and not willingly

willingly heard. — If the *Bill* be against the Religion of the Nation, being obliged by Oaths, against the Government and the wisdom of the Nation, I hope you will throw it out.

T. B. Sec. J. has moved to throw out the *Bill*, and desired to be heard patiently ; I find no body second him, pray let him go on and second himself. Ordered a second Reading.

Sir W. J. Because there has been much discourse in the Town of the Votes that past on Saturday, upon the *Lords Spiritual and Temporal rejecting the Impeachment*, &c. though I believe what is done will be made good, yet I would for the present, give the Nation all the satisfaction we can, that we are in the right. Amongst our misfortunes in being called to this place, we are far remote from *Records* and *Books* ; but yet I think it may be easie to prepare our selves to maintain what we have done. According to the little light I have, I find it the undoubted Right of the *Commons*, not only to bring *Impeachments* against *Lords*, but against *Commons* too. *Magna Charta* does not only say, *Per iudicium Parium*, &c. but *per Legem Terræ*, &c. Tryal by Parliament is *Lex Terræ*. I have heard of a Record, 4 E. 3. where when the Earl of March —

The Black Rod came to command their Attendance in the House of Lords, whither they immediately went, and the Lord Chancellor by Command of the King Dissolved the Parliament.

The several

DEBATES

OF THE

House of Commons

Pro & Contra,

Relating to the Establishment
of the Militia, Disbanding the New-
raised Forces, and raising a Present Sup-
ply for His MAJESTY.

Beginning the 9th. of November, 1685.
and ending the 20th. day of the same
Month, being the day of the Proroga-
tion of the Parliament.



L O N D O N,

Printed in the Year MDCCLXXXIX;

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The several

DEBATES

OF THE

House of Commons

Pro & Contra:

Line 9. die Novembriis.

BOTH Houses of Parliament, pursuant to the last Adjournment, His Majesty being seated in his Royal Throne in his House of Peers, commanded the Gentleman Usher of the Black Rod to give Notice to the House of Commons, that they immediately attend His Majesty in the House of Peers: Where being come, His Majesty was pleased to make a most Gracious Speech to both Houses of Parliament.

After which, the House of Commons returned to their own House, and Mr. Speaker reported His Majesty's Speech to the House, which being read at the Clerk's Table, is as followeth.

My Lords and Gentlemen,

‘ **A**fter the Storm that feem’d to be coming
‘ upon us, when we parted laſt, I am
‘ glad to meet you all again in ſo great Peace
‘ and Quietneſs; God Almighty be praiſed, by
‘ whoſe Bleſſing that Rebellion was ſuppreſſed:
‘ But when I reflect what an inconfiderable num-
‘ ber of Men begun it, and how long they car-
‘ ried it on without any oppoſition, I hope
‘ every body will be convinced, that the Mil-
‘ itia, which have hitherto been ſo much de-
‘ pended on, is not ſufficient for ſuch Occa-
‘ ſions, and that there is nothing but a good
‘ Force of well diſciplined Troops in conſtant
‘ Pay that can defend us, from ſuch as either
‘ at home or abroad are diſpoſed to diſturb us;
‘ and in truth, my concern for the Peace and
‘ Quiet of my Subjects, as well as for the Safety
‘ of the Government, made me think it neceſ-
‘ ſary to increaſe the number to the proportion
‘ I have done, that I owed as well to the Ho-
‘ nour as the Security of the Nation, whoſe Re-
‘ putation was ſo infinitely expoſed to all our
‘ Neighbour, by having lain open to this late
‘ wretched Attempt, that it is not to be repair-
‘ ed without keeping ſuch a body of Men on
‘ foot, that none may ever have a thought of
‘ ſending us again ſo miſerably unprovided: It
‘ is for the ſupport of this great Charge, which
‘ is now more than double to what it was, that
‘ I aſk your aſſiſtance in giving me a Supply
‘ anſwerable to the Expences it brings along
‘ with it; and I cannot doubt but what I have
‘ ſo much to the Honour and Defence of the
‘ Govern-

' Government, will be continued by you with
 ' all chearfulness and readiness that is requisite
 ' for a Work of so great Importance. Let no
 ' man take Exception, that there are some Officers
 ' in the Army not qualified according to
 ' the late Test for their Employment: The
 ' Gentlemen, I must tell you, are most of them
 ' well known to me, and having formerly served
 ' me on several Occasions, and always approved
 ' the Loyalty of their Principles by their
 ' Practices, I think them now fit to be employed
 ' under me, and will deal plainly with you,
 ' that after having had the benefit of their Services
 ' in such time of need and danger, I will
 ' neither expose them to disgrace, nor my self
 ' to the want of them, if there should be another
 ' Rebellion to make them necessary to
 ' me.

' I am afraid some men may be so wicked
 ' to hope and expect that a difference may
 ' happen between you and me upon this Occasion,
 ' but when you consider what Advantages
 ' have risen to us in a few Months by the good
 ' understanding we have hitherto had, what
 ' wonderful Effects it hath already produced in
 ' the change of the whole Scene of Affairs
 ' abroad, so much more to the Honour of the
 ' Nation, and the Figure it ought to make in
 ' the World, and that nothing can hinder a further
 ' Progress in this way to all our satisfactions,
 ' but Fears and Jealousies amongst our selves.
 ' I will not apprehend that such a misfortune
 ' can befall us as a Division, or but a Coldness
 ' between You and Us, nor that any thing can
 ' shake you in your steadiness and Loyalty to
 ' me,

me, who by Gods Blessing will ever make you
all returns of Kindness and Protection, with
a Resolution to venture even my own Life
in the Defence of the true Interest of this
Kingdom.

The Earl of *Middleton*, a Member of the
House of Commons, and one of His Majesty's
Principal Secretaries of State, moved, that the
House would immediately return their Thanks
to His Majesty for his most Gracious Speech,
and also proceed to the Consideration of an-
swering the ends therein mentioned.

After some Debate, it was resolved, That
the House resolve it self into a Committee of
the whole House on Thursday Morning next at
Ten of the Clock, to take into Consideration
His Majesty's Speech: And the House Adjourn-
ed till Thursday the 12th. Instant, Ten a Clock
in the Morning.

Focus 12. die Novembris. 1685.

The House resolved it self into a Commit-
tee of the whole House to take into Conside-
ration His Majesty's Speech.

Mr. Solicitor in the Chair.

The King's Speech was read.

The Lord *Middleton* moved to have it con-
sidered by Paragraphs.

Sir W. C. Some other than the Militia is ne-
cessary to be found, and moved a Supply for
the Army.

Ld. P. We have lately had an unfortu-
nate Proof how little we are to depend upon
the

the Militia, and therefore sure we must all approve of His Majesty's increasing the Forces to what they are. *France* is formidable, now *Holland's* Forces are greatly increased, and we must be strong in proportion, for preservation of our selves and *Flanders*, and toward that the good Harmony 'twixt the King and this House hath greatly contributed. It has had two other great Effects abroad.

1. The *French* King's Army last Spring was marching towards *Germany*, *Creguey* was far advanced, but when the King of *France* heard the kindness of this House to the King, and the Defeat of *Monmouth*, he recalled them.

2. The *French* and *Spaniard* had also a difference about *Hay* and *Fontenebeau* : The *French* advanced their Troops, and recalled them on this News.

This is the noble effect of the Harmony between the King and this House, who have (I hope) brought the same Heart and Loyalty they had the last time here.

Hence we may conclude, these Levies made by the King are just, reasonable, and necessary. And so let us Vote a Supply, to answer His Majesty's present Occasions.

Ld. R. The Question is, whether a Supply or not. I do not intend to Arraign the Militia, but seeing a Soldier is a Trade, and must (as all other Trades are) be learned, I'll shew you where the Militia has failed, *viz.* At *Charbam*, and in *June* last, when the late Duke of *Monmouth* landed, and had but 83 Men, and 300 *l.* in Money, who in sight of the Militia, nay, in sight of such other Force

as the King could spare hence, brought it so far as he did.

If the King of *France* had landed then, what would have become of us? I say, the Militia is not insignificant, but an additional Force is necessary, and so a Supply that is answerable to it.

Sir T. C. If it shall appear to you, that the King's Revenue he hath already, be sufficient to supply all his Occasions, what then need we give him more.

'Tis moved we should proceed by Paragraph.

To come first to the Militia, who (let me tell you) did considerable Service in the late Rebellion, and if a great Noble-man of this Kingdom had been supplied and assisted, it had soon been quelled.

A Confidence 'twixt the King and his People is absolutely needful, let it come whence it will, our Happiness consists in it.

His Majesty, on his first entrance on the Crown, told us, he had been misrepresented, and that he would preserve the Government in Church and State now established by Law, and to maintain us in all our just Rights and Privileges.

Over-joyed at this, we run hastily in to him, we gave four Millions (reckoning what we added to him for Life was worth) at once.

The present Revenue is 1900000 *l.* or two Millions yearly; the Charge of the Government (admitting this Army kept up) is but 1300000 *l.* yearly: And pray let us not forget that there was a Bill of Exclusion debated in

this

this House; I was here, and shewed my self against it; the Arguments for it were, that we should, in case of a Popish Successor, have a Popish Army.

You see the Act of the Test already broken, but pray remember what the late Lord Chancellor told you when the late King (of Blessed Memory) past that Act, (the words were to this effect.) *By this Act you are, provided against Popery, that no Papist can possibly creep into any Employment.* I am afflicted greatly at this breach on our Liberties, and seeing so great difference betwixt this Speech and those theretofore made, cannot but believe this was by some others Advice.

This struck at here, is our All, and I wonder there have been any men so desperate, as to take any Employment not qualified for it, and would have therefore the Question, that a standing Army is destructive to the Country.

Sir J. E. The number of the standing Forces is about 14 or 15000 Men, and they were about half so many before, and I conceive we are not safe without these Forces to aid and help the Militia. I am not for laying the Militia aside, but I say, there is a necessity for a standing Force.

Half the Charge of those Forces is about 300000 *l.* yearly, the whole being 600000 *l.* yearly, I conceive is all we need to give for it; of that there remains 200000 *l.* unreceived of the 400000 *l.* given last, so the 200000 *l.* may go towards it, and the rest may be supplied by a Tax on Commodities, as for balancing of Trade, may better be charged than not. I am for a Supply.

Sir

Sir H. C. I stand up for, and would not have the Militia reflected on, it was very useful in the late Rebellion of *Monmouth*, it kept him from *Bristol* and *Exeter*, and is as good as any Army we can raise against any at home.

Mr. C. I am for vindicating the Militia. The just cause for a Supply, and would give it, and to Reward the Officers not qualified, or take them off some other way.

Mr. A. I dread a standing Army, but am for a Supply.

Mr. W. Kings in old time used to send not only an account of their Revenues, but of the Charge they were going to be at, to the Parliament, when they demanded Aids. *Henry* the Fifth had but 56000 *l.* and *Queen Elizabeth* had 160000 and odd pounds yearly. I am for a Bill for making the Militia useful, and would know if we give Money thus, it be not for setting up a standing Army. I am for good Guards.

Sir W. T. The Kingdom is guarded by Law; we are now in perfect Peace; the King is both feared and loved; an Army little needed; men justly afraid: That which made the last Rebellion as it was, the Man that headed it, was a Favourite of the Faction, and though he had got such a number, he was beaten by 1800 Men only. I am against an Army.

Mr. S. This last Rebellion has contributed to our future Peace, and those engaged in it have sung their Penitential Psalm, and their Punishment rejoiced at by all good Persons. I do not commend the Militia, yet it is not to be rejected, but to be new modelled; and

and for my part, I had rather pay double to these, (meaning for keeping up the Militia) from whom I fear nothing, than half so much to those of whom I must ever be afraid ; and say what you will, 'tis a standing Army.

The last Force preserved the Peace, and was sufficient to do it in the late King's time, and is now ; all the profit and security of this Nation is in our Ships, and had there been the least Ship in the Channel, it would have disappointed him.

Supporting an Army, is maintaining so many idle Persons to Lord it over the rest of the Subjects.

The King declared, no Souldiers should Quarter in Private Houses, but that they did ; that they should pay for all things they took, but they paid nothing for almost all they took.

And for Officers employed not taking the Tests, is dispensing with all the Laws at once ; and if these Men be good and kind, we know not whether it proceeds from their Generosity or Principles, for we must remember, 'tis Treason for any Man to be reconciled to the Church of *Rome*, for the Pope by Law is declared Enemy to this Kingdom.

A Supply given as moved for, is a kind of an establishing an Army by Act of Parliament, and when they have got the Power into their hands, we then are to derive it from their Courtesie ; and therefore I would have the Question
be

That the safety of the Kingdom doth not consist with a standing Force, and this it may be will disappoint these Persons that make it
their

their business this way to make themselves useful.

Sir T. C. then moved an Address.

Sir Tho. M. I am first for a Supply, that hinders not an Address; His Majesty in his Speech only says, that the Militia is not sufficient.

The late long Parliament always owned some Force necessary, we are not to name the number, the King is best Judge of that, a great Soldier, and a good Prince.

For I hear the number is 14 or 15000, and I am for a Supply, and never saw but Money was always one part of the business of every Parliament.

There was a bitter Spirit in the three last Parliaments, not yet well allay'd, and so I conclude a considerable Force needful besides the Militia. I call those raised Guards, and would have a Supply given to support His Majesty's Extraordinary Occasions.

The Navy wants 6 or 800000 *l.* and I would give any Reason for it, so a Supply may without a Negative be given.

Seri. M. There is already a Law, that no Man shall on any occasion whatsoever rise against the King. Lords and Deputy-Lieutenants have power to disarm the disaffected: If you give thus a Supply, it is for an Army, and then may not this Army be made of those that will not take the Test, which Act was not designed a Punishment for the Papists, but a Protection for our selves, and giving this Money is for an Army, I am against it.

Sir

Sir R. T. I must concur with the King, that the Militia is not sufficient; I am for mending the Militia, and to make it such as the King and Kingdom may confide in it; to trust to Mercenary Force alone, is to give up all our Liberties at once.

If you provide a constant Supply to support them, by setting up an Army, *Sir Thomas Meert* has turned it into a Supply for the Navy.

There is no Country in the World has a Law to set up an Army, we have already made an ample Supply for the Government. 'Tis for Kings to come to the House from time to time on extraordinary Occasions, and if this Army be provided for by Law, they will never more come to this House.

I am for giving for the extraordinary charge past. Armies are useful when occasion is for them, but if you establish them, you can disband them no more.

I am for a Supply, but not on this score of the Militia; there was not a Company formed till 1588, and as soon as *Queen Elizabeth* had done with her Army, she disbanded it. Armies have been fatal often to Princes. The Army in the late King's time often turned out their Leaders. I am for going to the House for leave for a Bill to mend the Militia.

Sir W. C. The Beef-eaters at this rate may be called an Army.

Sir T. H. The Colonel may say what he will of the Beef-eaters, as he nick-names them, but they are establish'd by Act of Parliament.

Mr. S. I can make out that the King's Revenue is sufficient to maintain the Force on foot.

The Question.

That a Supply be given to His Majesty.

Sir Tho. C. moved, that the words (toward the support of the additional Forces) may be added.

The Committee divided. *Yeas* 156. *Noes* 225. It was carried in the Negative, and then these Votes pass.

That a Supply be given to His Majesty, and that the House be moved to bring in a Bill to make the Militia useful.

And then Adjourned till Nine a Clock to morrow Morning.

Veneris 13. *die Novembris.* 1685.

A motion being made by the Earl of *Middleton*, that the House should proceed to the further consideration of His Majesty's Speech.

The House thereupon resolved it self into a Committee of the whole House, and the previous Question should be then put for the House to go on with the Supply, or proceed to the next Paragraph. The House divided.

For proceeding to the Supply——182.

For proceeding to the next Paragraph.

Then the House Adjourned till to morrow Morning.

Sabbatis

Sabbati 14. die Novembris. 1685.

An Address was moved in the Committee by Sir *Edw. Jennings*. Others moved the inconvenience of it, if not granted, and so let it alone. Others to have the Catholics, who had been so useful and well known to His Majesty, named and compensated. Some seemed to doubt His Majesty's compliance. Others that it was not to be doubted, when Addressed by such a House.

At last it came to this Conclusion, That Instructions be given to a Committee, to draw an Humble Address to His Majesty.

Then the House Adjourned till Monday Morning.

Lune 16. die Novembris. 1685.

Mr. Solicitor Reports, That the Committee appointed had drawn up an Address to His Majesty; which was read and agreed to, and is as follows, *viz.*

Most Gracious Sovereign,

WE your Majesty's most Loyal and Faithful Subjects, the Commons in Parliament assembled, do in the first place (as in Duty bound) return your Majesty our most humble and hearty thanks for your great Care and Conduct in suppressing the late Rebellion, which threatened the overthrow of this Government, both in Church and State, to the extirpation of our Religion as by Law
esta-

‘establish’d, which is most dear unto us, and
 ‘which your Majesty hath been pleas’d to give
 ‘us repeated assurances you will always defend
 ‘and maintain, which with all grateful hearts
 ‘we shall ever acknowledge.

‘We further crave leave to acquaint your
 ‘Majesty, that we have with all Duty and
 ‘Readiness taken into our Consideration your
 ‘Majesty’s Gracious Speech to us: And as to
 ‘that part of it, relating to the Officers in the
 ‘Armies not qualified for their Employments
 ‘according to an Act of Parliament made in
 ‘the 2^{5th}. year of the Reign of your Royal
 ‘Brother, Entituled, *An Act for preventing Dam-
 ‘gers which may happen from Popish Recusants.*

‘We do out of our bounden Duty, humbly
 ‘Represent unto your Majesty,

‘That these Officers cannot by Law be ca-
 ‘pable of their Employments, and that the
 ‘incapacities they bring upon themselves that
 ‘way, can no way be taken off but by an Act
 ‘of Parliament.

‘Therefore out of that great Reverence and
 ‘Duty we owe unto your Majesty, who have
 ‘been graciously pleas’d to take notice of their
 ‘Services to your Majesty, we are preparing a
 ‘Bill to pass both Houses, for your Royal As-
 ‘sent, to Indemnifie them from the Penalties
 ‘they have now incurred, and because the con-
 ‘tinuing of them in their Employments may
 ‘be taken to be a Dispensing with that Law
 ‘without an Act of Parliament, the Conse-
 ‘quence of which is of the greatest Concern
 ‘to the Rights of all your Majesty’s Subjects, and
 ‘to all the Laws made for the Security of their
 ‘Religion.
 ‘We

‘ We therefore the Knights, Citizens, and Burgesses of your Majesty’s House of Commons, do most humbly beseech your Majesty, that you would be most graciously pleased to give such Directions therein, that no Apprehensions or Jealousies may remain in the hearts of your Majesty’s most Loyal Subjects.

A Motion being made for going to the Lords for their concurrence.

Some debated, that it would carry with it the greater weight, and be more likely to have good effect, and if the Concurrence of the Lords were asked, the Judges in the Lords House would have an Opportunity of speaking their Opinion to it.

Others oppos’d it, for the Lords having already given their Thanks to the King for his Speech, as being contented therewith, and that it would be more for the Honour of the House of Commons to Address alone.

Those that were against the thing it self when it pass’d first, were about going to the Lords for their Concurrence.

The House divided. For asking Concurrence 208. Against it 212.

It pass’d in the Negative. Then the Members of the House that were of His Majesty’s Privy Council, were Ordered to know when His Majesty would be pleas’d to be Attended there with.

Mr. Solicitor in the Chair.

The House being Retolved into a Committee of the whole House, to consider of a Supply for His Majesty.

B

The

The Lord *Campden* moved 200000 *l.* to be given to the King for a Supply, which with 200000 *l.* confessed of what was given for Suppressing the late Rebellion, makes 400000 *l.* and was seconded.

Sir *J. E.* said, that 1200000 *l.* was needful, and that such a Sum had been given before in the same Session, when there was an Address of this kind made to the late King.

Sir *T. C.* We have this Session already given Customs and Excises for His Majesty's Life.

Additional Duty on
Wines 8 Years } Yearly 150000 *l.*

Tax on Sugar and } Yearly 200000 *l.*
Tobacco 8 Years }

Tax on Linnen and
East-India Com- } Yearly 120000 *l.*
modities 5 Years }

In all six Millions.

Let us give little now, to have Opportunity to give more another time; for if we give too much now, we shall have nothing left to give; and if we proceed thus, what we have will be taken from us.

Sir *E. J.* To give 1200000 *l.* now, because such a Sum has been given, is no Argument; once 2400000 *l.* was given here, and therefore should it be so now? 200000 *l.* with what is already confest'd to be in Cash makes 400000 *l.* and that will maintain the Charge one Year and better; and giving all at once is doubting the Affection of the People.

Mr. P. You unanimously voted a Supply last Night, and naming so little now, is not so ingenuous a way of proceeding. We are told,
fix

six Millions have been this Session given; I would have you, Gentlemen, take notice, the giving His Majesty what the late King had, is but settling a Revenue that before was not sufficient for the support of the Government; what was given besides, was part for the late King's Servants, part for the Fleet and Stores, and part for suppressing the late Rebellion.

To give so little now, is not to enable the King to defend and preserve us, which he has promised to do. I am for 1200000 *l*.

Ld. R. The Question is for 200000 *l*. or for 1200000 *l*.

What has been given in this matter already, ought not to be weighed at all; and what is called six Millions, had all uses (when given) tack'd to it.

The Revenue his Brother had, had Uses enough, as —

The Wine and Vinegar Act, rated at yearly 150000 *l*.

For the Fleet, Stores, Ordnance, and Servants.

The Sugar and Tobacco Act rated at yearly 200000 *l*.

For the said Stores, Ordinary, and Fleet—
And the Additional Duty on *French* Linnen and *East-India* Commodities, rated at yearly 120000 *l*.

For suppressing the late Rebellion—

So there are Uses for all that, and what is now given, must be taken for supporting the Forces.—

And therefore I am for 1200000 *l*.

Sir W. C. Two hundred thousand pound is

much, too little: Soldiers move not without Pay. *No Penny, no Peter Noller.*—

Mr. A. Moved for 700000 *l.* and mention'd to have it rais'd upon the new Buildings, which might produce 400000 *l.* and a Poll Bill for the other 300000 *l.*

Mr. W. If I knew the King's Revenue were short, I would give as far as any Man; but now we are going for this Particular Use, and if this 200000 *l.* will not do, how can we be sure that 1200000 *l.* will?—

If we give too little now, hereafter, if we see Occasion, we may give more; but if we now give too much, I do not see how we shall ever have it again, though I have heard of such a thing in Queen *Elizabeth's* time.

The King (reckoning what he had of his own into it) has 600000 *l.* yearly more than the late King had, and when there is need, I am for more, but now only 400000 *l.* and to raise that ease you will be put to it: How will you do it?

If you lay it upon Trade, that will make it Revenue, and when once in the Crown for some time, it will never get out again. I am for only 400000 *l.*

Ld. C. If the King wants 200000 *l.* I would give him 200000 *l.* but I am for giving no more than he really wants.—

Mr. W. We give because we are ask'd; I am for the least sum, because for an Army, and I would be rid of them as soon as I could; and am more now against it than I lately was, being satisfied that the Country is weary of the Oppression of the Soldiers, weary of Free

Quar-

(25)

Quarters, in Plunder, and some Felony, for which they have no Complaint, no Redress: And since I heard Mr. *Blaywaite* tell us, how strict Rules were prescribed them by the King, I find by their behaviour, the King cannot govern, *themselves*, and then what will become of *us*?

Sir *Wm. Pitt* The Rebellion is suppress'd, and the Army is urged to be small, but it is so thick of Officers, that by filling up the Troops, which is easily at any time done, increases their number so a third part more, I am for providing for them but one whole Year only, and only for 400000 for the 1st coll'ded Army.

Mr. C. I agree to the 400000 l. We owe besides that a Duty to our Country, and are bound by the Duty to leave our Possessity as free in our Liberties and Properties as we can; and these being Officers, now in the Army, that have not taken the Test, greatly affays my Zeal for it, and makes me esteem the Militia, which if we well modelled, and plac'd in mens hands, of themself in their Country, we are certain, and so is the King secure; for there is no such Security of any Mans Liberty, as a good

Reasons I have heard given against *Amos*,
 that they Debauch'd their Manners of all the
 People, their Wives, n Daughters, and Set
James (*psal* 101 *psal* 101) *psal* 101 *psal* 101
 Men do not go to Church where they Quar-
 ter, for fear mischief, to be done at their Hou-
 ses in their absence, as *psal* 101 *psal* 101 *psal* 101

sent to the printer, and good value
(about 30. guineas) was obtained. **P**

Plowmen and Servants quit all Country Employments to turn Soldiers; and then a Court Marshal in time of Peace, is most terrible.

In Peace, Justices of it, and the Civil Magistrate ought to Punish, if applied to.

And what Occasion then can be for them? Is it to suppress a Rebellion in time of Invasion? all then will go towards that.

Or is it to Assist his Allies? the House will give Aid when wanted on that score. *Mr. B.* The Guards I am not against, those shew'd themselves useful in *James's* business, and the late Rebellion; I am not against them, I only speak of those that have been new raised.

Col. A. I'll tell you the use of these Forces; they expected the rising of a great Party, and were not those Forces standing, to prevent a Rebellion, you would have one in few days.

Mr. B. If any Disorders have been committed, it is not yet too late to have them redress'd; and Martial Law (if by that clear'd) does not hinder proceeding at Common-Law for the same thing.

Four hundred thousand pound is not enough; no State near us in Proportion, but what exceeds this small number of Men. *Mr. T. C.* Seven Millions of Men in England; the strength of Men in England; Native, in which (for want of Men) France stands equal us; that Trade will not breed short of a Ship of 40 Tuns will carry 100000 l. of their Goods, Linnen and Silks. Ours are bulky Goods, and Employs Twenty times more, unless you (by burdening of Trade)

let

let them into the *West-Indies*. Armies are not manageable. Commanders have been very often known to Rebel : The measure of our Supply is our Security.

His Majesty's Declaration says, if on Complaint, the Officers give no Redress, then Complain to the King ; and so Justice is bathed by what hardship put upon the Complainant.

Sir W. T. Moved to have it temporary for an hundred years.

Sir C. M. Let it be to enable His Majesty to preserve us in Peace at home, and to make His Majesty Formidable abroad for 1200000 *l.* as a Supply answerable to the Loyalty of this House.

Sir H. C. This House was so forward to give last time, that the King's Ministers gave their stop to it.

Sir J. W. The Use is to direct the *Quantum*. I see a present necessity for continuing these Forces, till the Militia is made useful ; I am for trying two years, and so for 400000 *l.* and so leave the Door open for coming thither to give another time.

Sir T. M. The Principle of the Rebel Party is never to Repent. I am for 1200000 *l.* and if so much be given, I would have you, Gentlemen, to remember the Fanatics are the cause of it.

Mr. P. An Island may be attacked, notwithstanding any Fleet. Ours is much mended, a thousand Men daily at work, ever since we gave Money for it, and not one Man in it an Officer, that has not taken the Test.

Col. O. New Troops are not so good as old, and more subject to commit Disorders, but will be less so, when they are longer under Discipline. The King of France never sends

Troops to his Army, till they have been two or three years on foot in a Garrison.

See Art. 10. The Trained Bands at Newberry Fight did brave things.

Then the Question was put, That a Sum, not exceeding 400000 *l.* should be given to the King.

The Previous Question being put, *Year* 167, *Noes* 179. It passed in the Negative.

Then the Question was put for 700000 *l.* and no more. *Yeas* — 212. *Noes* — 170. So it it passed in the Affirmative.

The Question for 1200000 *l.* being thus waived, it was then Ordered, That the Committee of the whole House should to Morrow proceed on His Majesty's Supply, and on Wednesday to consider of Heads for a Militia.

And then Adjourned till Nine of the Clock to morrow Morning.

Adoria 17. *die Novembrii.* 1685.

The House Resolved it self into a Committee of the whole House, to consider the way of raising His Majesty's Supply.

North in the Chair.

Sir J. A. Moved, that an Additional Duty upon Wines might yield 400000 *l.* yearly; and other

other Goods be named, about 600000 l. yearly, which with the continuance for some years of the late Act of Impolition of *French Linens*, and *East-India Silks*, &c. might make up the sum, and told the House, he propos'd this way, to avoid a Land-Tax.

The Goods he named to be rated, were Soap, Pot-ashes, to pay 7 d. 3 to treble; unwrought Silks, Deals, Planks, and other Boards to double, Railins and Piuans 2 l. per Cent. to double, Iron now pays 7 l. per Cent. to double, Copperas 18 s. per Cent. to double, Oyls 19 s. 8 or 10 per Tun, pay now 20 l. Drugs will bear more than rated. Drives and Spice from *India* and Salt, and all Prohibited Goods, 20 l. per Cent.

And this I hope may do what is now intended to be rais'd at this time, supposing 4 l. per Tun on *French Wines*.

Sir P. N. Moved much to the same effect, and enlarg'd on it, and said, the Book of Rates had been well consider'd, and these Goods capable of bearing the Duties propos'd: but if the King took the 4 l. per Tun on *French Wines* at above twenty thousand pounds yearly, he would be a loser by it.

Other Gentlemen insist'd on having *French Linen* higher charged.

The Pepper that is expended here, paying one Penny a pound, might pay one penny more, and so yield 70 or 80000 l. yearly; and that Bullion Experted to the *Indies*, might bear 5 l. per Cent. and encourage the sending of other Goods (in some measure) instead of it that

Sir R. T. Moved Subsidies or Land-Tax; but the House inclining to what was first proposed, and being contented to by the King's Ministers, seemed contented with it; so was voted, That an Act for laying an Imposition on French Linnens, *East-India* Goods, Brandy, &c. should be continued for five years from *Midsummer* 1690 and be given to His Majesty 25400000 *l.* And that

An Imposition of 4 *l.* per Tun be laid upon all *French* Wines, on which to be rais'd 3000000 *l.* which makes up the 700000 *l.*

The time how long this 4 *l.* per Tun shall be laid, is not yet determined, an Account being first to be brought from the Custom-House Books, of what number of Tuns are yearly Imported; 'twas said 10000 Tuns; Others affirm'd, there were near double so many.

The House seemed to incline to 8 or 10 years, add that the Duties already on it should still continue for the same time; which 4 *l.* per Tun, with the Duty it already pays, is near 20 *l.* per Tun.

And then the House Adjourn'd till Nine of the Clock to morrow Morning.

Mercuri 18. *die Novembris*. 1685.

Mr. Speaker Acquaints the House, that His Majesty having been yesterday Attended in the *Banqueting-House* at *Whitehall* with the Address of Thanks from this House for his great Care and Conduct, and suppressing the late Rebellion; and likewise concerning the Officers of

of the Army not qualified for their Employments, was Graciously pleas'd to Return an Answer, to the effect following.

My Lords and Gentlemen, Sir J. M.

I Did expect such an Address from the House of Commons. For having so lately recommended to your Consideration the great Advantages a good Understanding betwixt us had produc'd us in a very short time, and given you warning of Fears and Jealousies amongst our selves. I had reason to hope, that the Reputation God had blessed me with in the world, would have secured and confirm'd a good Confidence in you for me, and of all that I say to you.

But however you proceed on your Part, I will be ready in all my Promises I have made to you, and be just to my Word in this, and all my other Speeches.

The said Answer was read with all due Reverence and Respect, and there being a profound silence in the House for some time after it.

Mr. W. Moved, that a day might be appointed to consider on His Majesty's Answer to the late Address of this House, and named Friday next.

Mr. C. Stood up, and seconded that Motion, and said, I hope we are all *English men*, and are

are not to be frighted out of our Duty by a few high words.

Ld. P. took present Exceptions against the words, which, as is usual, were writ down by the Clerk, and *Mr. C.* call'd upon to explain.

Mr. C. said, he intended not ill by it; And that he did not believe these the words: And that if he had said any thing that had given that House Offence, he was sorry, and would ask them Pardon for it. *Mr. C.* He is not enough to say these were not the words, but you are so far what the words were.

Mr. C. I do not make set Speeches: I can not repeat them; and if they did drop from me, I ask the King and you Pardon.

So these being took for granted to have been the words, *Mr. C.* as the Custom is in such Cases, withdrew into the Speaker's Chamber.

Ser J. T. Not our own Honour, but the King is concern'd in this; and moved, that he should be brought to the Bar, and there to receive a Reprimand from *Mr. Speaker* for it.

Sir H. C. A Gentleman of great Loyalty, never before of the House, desired he might have what favour he could.

Mr. A. A great Reflection upon this House; if this be but pass. Several spoke of this Loyalty, but none to Excuse him for this.

Ld. P. said him to the Tower.

Ld. M. The meaning of this seems like an Insulting. The Tower is a place of confinement. This needs no aggravation; a Reprimand for an Offence in this House, might do; but this does not end there, and 'tis a question whether

whether it be in the Power of the House to
 give it by the Office as given to the King as
 well as you: I am for calling him to the Bar
 in the first place. But was then Order'd, that
 Mr. Gifford his undecent Speech should be sent
 to the Tower, with no bail or no Trespas.
 And then Mr. S. said, now this is over, I
 cannot but consent to those that moved for a
 day, to consider of His Majesty's Answer, and
 think my self as honest as I should be, if I
 now hold my tongue, and say nothing.
 And if we do take this Matter into Con-
 sideration, I doubt not but we shall behave our
 selves with charity to His Majesty, that
 we may hope for a more satisfactory Answer
 than as yet this seems to be to me.

Sir J. E. I hope that acquiescence that was
 this Morning in this House, on reading His
 Majesty's Answer, has ended this matter. I do
 think the King will do all what he promised,
 and answer nothing there. I am for it.
 Sir T. M. May'd to Adjourn, and said, he
 did not know what to say to it. I said in place
 of Sir T. M. For that very Reason, move for a
 day to consider of it, and I do not think we
 shew that Respect we ought to do to the King,
 if we do not answer to what he says.

And then the House Adjourn'd to Nine of
 the Clock to Morrow Morning.
 The Committee appointed to search, the
 Custom House Books, how many Tuns of
 French Wines were yearly Imported, Report

Report to the House, That 4*l*. per Tun laid upon French Wines, would, all Deductions allowed, bring in yearly 350000*l*.

Mr. Solicitor took the Chair.

And 'twas thereupon Resolved, That the 4*l*. per Tun, to be laid on French Wines, for the raising of 300000*l*. be continued from the first of December 1685. yearly, for 9 years and a half.

To which the House agreed, and Mr. Solicitor was Order'd to bring in a Bill on the Debates of the House, with a Clause of Loan for the said Imposition of 4*l*. per Tun for the said 9 years and a half, from the first of December 1685. And then Adjourn'd.

Veneris 20. die Novembris. 1685.

A Message from the King by the Gentleman Usher of the Black-Rod.

Mr. Speaker, It is His Majesty's Pleasure, this Honourable House do Attend him immediately in the House of Peers. Where being come, the Lord Chancellor, by His Majesty's Directions, laid as followeth.

My Lords, and you the Knights, Citizens, and Burgesses of the House of Commons, I am Com-manded by His Majesty to let you know, that it is His Majesty's Pleasure, for many weighty Reasons, that this Parliament be Prorog'd till the 10th. day of February next. And accordingly this Parliament is Prorog'd till the 10th. day of February next.

Dissolved.

F I N I S.

A LIST of the English Clergy and
Bishops of the present reign, from
1688 to the present time, with
King James the Second.

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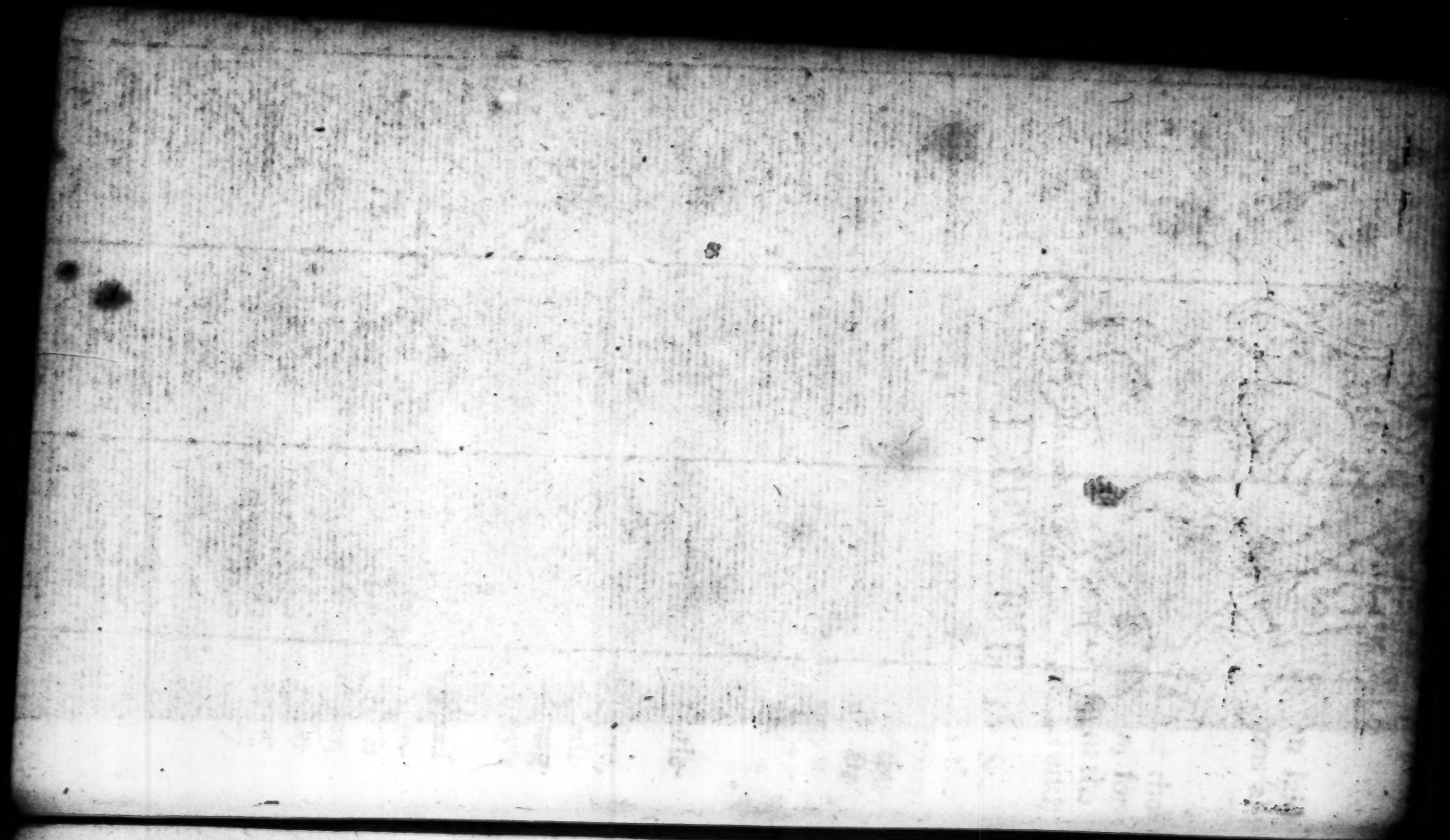
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A LIST of the Knights, Citizens, and Burgesses of the present Parliament, summoned to meet the Nineteenth of May, 1685. in the first Year of the Reign of King JAMES the Second.

Bedfordshire 4.

SIR *Villiers Charnocke*, Bar.
William Boteler, Esq;
 Town of *Bedford*.
 Sir *Anthony Cheffer* of *Livington*, Bar.
Thomas Christie, Esq;

Berks 9.

Sir *Humphrey Forster*, Knight.
Richard Southby, Esq;
 Borough of *New Windsor*.
William Chiffinch, Esq;
Richard Graham, Esq;
 Borough of *Reading*.
John Bredan, Esq;
Thomas Coats, Esq;
 Borough of *Wallingford*.
John Stone, Esq;
John Holloway, Esq;
 Borough of *Abingdon*.
 Sir *John Stonehouse*, Bar.

Bucks 14.

John Lord Brackley.
Thomas Wharton, Esq;

TOWN of Buckingham.

Sir Richard Temple, Bar.

Sir Ralph Verney, Knight and Baronet.

Borough of Chipping-Wicombe.

Sir Denis Hampson, Bar.

Edward Baldwin, Esq;

Borough of Aylesbury.

Sir William Edgerton, Knight of the Bath.

Richard Anderson, Esq;

Borough of Agmondesham.

William Cheney, Esq;

Sir William Drake, Knight.

Borough of Wendover.

Richard Hamblen, Esq;

John Backwell, Esq;

Borough of Great Marlow.

Sir John Borlace, Bar.

Sir Humphrey Wynch, Bar.

Cambridgehire 6.

Sir Levinus Bennet, Bar.

Sir John Cotten, Kt.

University of Cambridge.

Sir Thomas Exton, Knight, Doctor of Laws, and the King's Advocate-General.

Robert Brady, M. D.

Town of Cambridge.

Sir Thomas Chicheley, Knight.

William Wrenn, Esq;

Cheshire 4.

Sir Philip Egerton, Knight.

Thomas Cholmondeley of Vale-Royal, Esq;

City of Chester.

Sir Thomas Grosvenor, Bar. Mayor of the said City.

Robert Werden, Esq;

Cornwall 44.

*Charles Lord Lansdown.**Charles Bodville Lord Bodmin.**Borough of Dunbruid alias Lancesson.**John Greenvile, Esq;**Sir Hugh Piper, Knight.**Borough of Leslard.**Christopher Wray, Esq;**John Conocke, Esq;**Borough of Lestwithiel.**Sir Robert Southwel, Kt.**Sir Matthias Vincent, Kt.**Borough of Truro.**John Arundel of Trevis, Esq;**Henry Vincent, Esq;**Borough of Bodmin.**Hamlet Roberts, Esq;**Nicholas Glynn, Esq;**Borough of Helston.**Charles Godolphin, Esq;**Sydney Godolphin, Esq;**Borough of Saltash.**Sir Cyril Wyche, Bar.**Edmund Waller, Esq;**Borough of Camelford.**Humphrey Langford, Esq;**Nicholas Courtney, Esq;**Borough of Port-Higham, alias Wesslow.**Henry Trelawney, Esq;**James Kendal, Esq;**Borough of Grampound.**Sir Joseph Tredenham, Knight.**Robert Foley, Esq;**Borough of Egglow.**Charles Trelawney, Esq;**Sir William Trumbal, Kt.**Borough of Penryn.**Sir Nicholas Slanning, Bar.**Henry Fantham, Esq;*

Borough of *Tregony*.*Charles Trevanion*, Esq;*Charles Porter*, Esq;Borough of *Bossiney*.*John Cotton*, Esq;*John Mountfrevon*, Esq;Borough of *St. Ives*.*Dr. Charles D'Avenant*.*James St. Amant*, Esq;Borough of *Foway*.*Beville Greenville*, Esq;*John Treffry*, Esq;Borough of *St. Germans*.*Sir Thomas Higgins*, Kt.*Daniel Elliot*, Esq;Borough of *St. Michael*.*John Vivian*, Esq; the younger.*Thomas Price*, Esq;Borough of *Newport*.*William Morice*, Esq;*John Speccot*, Esq;Borough of *St. Marys*.*Sir Joseph Tredenham*, Kt.*Henry Seymour*, Junior, Esq;Borough of *Killington*.*Sir John Coriton*, Kt.*William Coriton*, Esq;**Cumberland 6.***Richard Viscount Preston*;*Sir John Lowther of White-haven*, Bar.*City of Carlisle.**Sir Christopher Musgrave*, Kt.*James Graham*, Esq;Borough of *Cockermouth*.*Sir Orlando Gee*, Kt.*Sir Daniel Fleming*, Kt.**Derby 4.***Sir Robert Coke*, Bar.*Sir Gilbert Clarke*, Kt.

Town of Derby.

John Coke, Esq;
William Allestree, Esq;

Devonshire 26.

Sir Boucher Wray, Bar.
Sir Copleston Bampfild, Bar.

City of Exeter.

James Walker, Esq; the Mayor.
Edward Seymour, Esq;

Borough of Totnes.

Sir Edward Seymour, Bar.
John Kelland, Esq;

Borough of Plymouth.

Bernard Grenville, Esq;
The Earl of Ranelagh.

Borough of Okehampton.

Sir Simon Leach, Knight of the Bath.
William Carey, Esq;

Borough of Barnstaple.

Sir Arthur Chichester, Bar.
John Basset, Esq;

Borough of Plympton.

Richard Strode, Esq;
Sir Christopher Wrenn, Kt.

Borough of Houlton.

Sir Thomas Putt, Bar.
Edmund Walton, Esq;

Borough of Tavistock.

Sir James Butler, Kt.
John Bear, Esq;

Borough of Albburton.

William Stawell, Esq;
Edward Tard, Esq;

Borough of Clifton, Dartmouth, Haradnes.

Roger Pomeroy, Esq;
Arthur Farewell, Esq;

Borough of Beralston.

Sir John Maynard, Kt. one of his Majesties Serjeants at
Law.

Sir Benjamin Bathurst, Kt.

Borough of Tiverton.

Sir Hugh Arkland, Bar.
William Coleman, Esq;

Dorchester 20.

Thomas Strangeways, Esq;

Thomas Freke, Esq;

Town of Pool.

Thomas Chaffin, Esq;

William Erricke, Esq;

Borough of Dorchester.

Edward Meller, Esq;

William Churchill, Esq;

Borough of Lime-Regis.

John Pool, Esq;

Sir Winston Churchill, Kt.

Borough of Weymouth.

Sir John Morton, Bar.

Henry Henning, Esq;

Borough of Melcom Regis.

George Strangeways, Esq;

Francis Mobun, Esq;

Borough of Bridport.

Hugh Hodges, Esq;

Thomas Chafe, Esq;

Borough of Shafton, alias Shaftsbury.

Sir Henry Bailor, Kt.

John Bowles, Esq;

Borough of Warham.

Thomas Earle, Esq;

George Reeves, Esq;

Borough of Court-Castle.

Sir Nathaniel Nappier, Knight and Baronet.

Richard Fown, Esq;

Durham 4.

Robert Byerly, Esq;

William Lampson, Esq;

City of Durham.

Charles Montague, Esq;

Sir Richard Lloyd, Kt.

Efter 8.

Sir William Maynard, Bar.
Sir Thomas Fawshaw, Kt.

Borough of Colchester.

Sir Walter Clarges, Bar.
Nathaniel Laurence, Esq;

Borough of Malden.

Sir John Brampton, Knight of the Bath.
Sir Thomas Darcy, Bar.

Borough of Harwich.

Sir Anthony Dean, Kt.
Samuel Pepys, Esq;

Gloucestershire 8.

Charles Somerset, Marquis of Worcester,
Sir Robert Atkins, Junior, Kt.

City of Gloucester.

John Wagstaff, Esq; Alderman.
John Powel, Esq;

Borough of Cirencester.

Thomas Masters, Esq;
Charles Earl of Newbourg, in the Kingdom of Scotland.

Borough of Tisbury.

Sir Francis Russell, Bar.
Richard Dowdeswell, Esq;

Herefordshire 8.

Sir John Morgan, Bar.
Sir John Hoskins, Knight and Bar.

City of Hereford.

Herbert Aubrey, Esq;
Thomas Geers, Esq;

Borough of Lempster.

Thomas Coningsby, Esq;
Robert Cornwall, Esq;

Borough of Weoley.

Henry Cornwall, Esq;
Robert Price, Esq;

Ipswich 6.

Ralph Freeman, Esq;
Thomas Halsey, Esq;

Borough of St. Albans.

George Churchill, Esq;
Thomas Docwra, Esq;

Borough of Hertford.

Sir Francis Boreler, Kt.
Sir Thomas Bide, Kt.

Huntington 4.

Sir John Cotton, Bar.
Sir Lionel Walden, Kt.

Borough of Huntingdon.

Oliver Mountague, Esq;
Lionel Walden, Esq;

Kent 10.

Sir William Twissden, Bar.
Sir John Knatchbole, Bar.

City of Canterbury.

Sir William Hornwood, Bar.
Henry Lee, Esq;

City of Rochester.

Sir John Banks, Bar.
Sir Francis Clark, Kt. dead.

Borough of Maidston.

Sir John Tusson, Knight and Baronet.
Archibald Clinkard, Esq;

Borough of Queenborough.

Sir John Godwin, Kt.
Caleb Banks, Esq;

Lancashire 14.

Sir Roger Bradshaigh, Knight and Baronet,
James Hill, Esq;

Borough

Borough of Lancaster.

*Henry Crispe, Esq;**Roger Kerbie, Esq;*

Borough or Town of Preston in Amounderness.

*Sir Thomas Chicheley, Kt.**Edward Fleetwood, Esq;*

Borough of Newtown.

*Sir John Chicheley, Kt.**Peter Leigh, Esq;*

Borough of Wigorn.

*Charles Earl of Ancrum.**Charles Lord Murray.*

Borough of Clithero.

The honourable *James Stanley, Esq;**Edmund Ashton, Esq;*

Borough of Leuerpool.

*Sir Richard Atherton, Kt. Mayor.**Thomas Leigh, Esq;*

Leicestershire 4.

Bennet Lord Sherrard.

John Varney, Esq;

Town of Leicester.

*Sir Henry Beaumont, Bar.**Thomas Babington, Esq;*

Lincolnshire 12.

George Viscount Castleton.

Sir Thomas Hussey, Bar.

City of Lincoln.

*Sir Thomas Miers, Kt.**Sir Henry Monson, Bar.*

Borough of Boston.

*Robert Lord Willoughby.**Peregrine Bertie, Jun. Esq;*

Borough of Great Grimsby.

*Sir Edward Asscough, Kt.**Sir Thomas Bernardson, Bar.*

Town of Stamford.

The honourable *Peregrine Bertie, Esq;*The honourable *Charles Bertie, Esq;*

Borough

Borough of *Granham*.

Thomas Harrington, Esq;
John Thorold, Esq;

Spindle 8.

Sir Charles Gerard, Bar.

Ralph Hawney, Esq;

City of *Westminster*.

Charles Bonibon, Esq;

Michael Arnold, Esq;

London.

Sir John Moor, Kt.

Sir William Pritchard, Kt.

Sir Samuel Dabwood, Kt.

Sir Peter Rich, Kt.

Donnacshire 3.

Charles Lord Marquis of Worcester.

Sir Charles Kymh, Bar.

Borough of *Monmouth*.

Charles Lord Marquis of Worcester.

Portfolk 12.

Sir Thomas Hare, Bar.

Sir Jacob Affley, Knight and Baronet.

City of *Norwich*.

The honourable *Robert Pafson*, Esq;

Sir Neville Careline, Kt.

Town of *Lyn-Regn*.

Sir Simon Taylor, Kt.

Sir John Turner, Kt.

Town of *Great Tarmouth*.

Sir William Cooke, Bar.

John Friend, Esq;

Borough of *Therford*.

Henry Haveningham, Esq;

William de Gray, Esq;

Borough of *Castlesing*.

Sir Nicholas L'Esrange, Bar.

Thomas Howard, Esq;

Northamptonshire 9.

Sir Roger Norwich, Bar.

Edward Montague, Esq;

City of Peterborough.

Charles Fitz-Williams, Esq;

Charles Orme, Esq;

Town of Northampton.

Sir Justinian Isham, Bar.

Robert Rainsford, Esq;

Town of Brackley.

Sir Richard Wrennan, Bar.

James Griffin, Esq;

Borough of Higham-Ferries.

Sir Lewis Palmer, Bar.

Northumberland 8.

Sir John Fenwick, Bar.

William Ogle, Esq;

Town of Newcastle upon Tyne.

Sir William Blacket, Bar.

Sir Nathaniel Johnson, Kt.

Borough of Morpeth.

Sir Henry Pickering, Bar.

Theophilus Ogleshorpe, Esq;

Town of Berwick upon Tweed.

Philip Bickerstaff, Esq;

The honourable Ralph Warrington, Esq;

Nottinghamshire 8.

Sir William Clifton, Bar.

Reagon Mellish, Esq;

Town of Nottingham.

John Beaumont, Esq;

Sir William Stranbope, Kt.

Borough of East-Retford.

Sir Edward Nevill, Knight and Bar.

John Millington, Esq;

Town of *Newark upon Trent.*

Henry Saville, Esq;
Philip Darcy, Esq;

Derfordshire 9.

Anthony Viscount Falkland.

Thomas Tipping, Esq;

University of Oxon.

Sir Leoline Jenkins, Kc. dead.

Dr. Charles Perrot, Kc.

City of Oxon.

Henry Bertie, Esq;

Sir. George Pudley, Kc.

Borough of New-Woodstock.

The honourable Richard Bertie, Esq;

Sir Littleton Osbaldston, Bar.

Borough of Banbury.

The honourable Sir Dudley North, Kc.

Rutland 2.

The honourable Baptist Noel, Esq;

Sir Thomas Mackworth, Bar.

Salop 12.

Edward Kynaston of Oatley, Esq;

John Walcot, Esq;

Town of Salop.

Edward Kynaston, Esq;

Sir Francis Edwards, Bar.

Borough of Bruges, alias Bridgnorth.

Sir William Whitmore, Bar.

Roger Pope, Esq;

Borough of Ludlow.

Sir Edward Herbert, Kc.

William Charleton, Esq;

Borough of Great Wenlock.

Thomas Lamy, Esq;

George Weld, Esq;

Town of Bishops Castle.

Edmund Waring, Esq;
Francis Charleton, Esq;

Somersetshire 19.

Sir John Smith, Bar.
George Horner, Esq;

City of Bristol.

Sir John Churchill, Kt. Master of the Rolls, dead.
Sir Richard Crump, Kt.

City of Bath.

Sir Maurice Berkeley, Knight and Baronet.
Viscount Fitzharding.
Sir William Basset, Kt.

City of Wells.

The Windham, Esq; Recorder.
Edward Berkeley, Esq;

Borough of Taunton.

Sir William Portman, Bar. and Knight of the Bath.
John Sandford, Esq;

Borough of Bridgewater.

Sir Francis Warre, Bar.
Sir Halwel Tyt, Bar.

Borough of Minster.

Francis Lutterel, Esq;
Nathaniel Palmer, Esq;

Borough of Ilchester.

Sir Edward Windham, Bar.
Sir Edward Philips, Kt.

Borough of Milbournport.

John Hunt, Esq;
Henry Bull, Esq;

Southampton or Dorsetshire 26.

Writbesly Baptist Viscount Cambden.
Charles Earl of Wiltshire.

City of Winchester.

Sir Roger L'Estrange, Kt.
Charles Hanley, Esq;

Town of Southampton.

Sir Charles Windham, Kc.

Sir Benjamin Newland, Kc.

Town of Portsmouth.

The honourable William Legs, Esq;

Henry Slingsby, Esq;

Borough of Tarmouth.

Thomas Windham, Esq;

William Hewer, Esq;

Borough of Petersfield.

Sir John Norton, Bar. dead.

Thomas Bilson, Esq;

Borough of Newport, alias Melena.

Sir Robert Holmes, Kc.

Sir William Stephens, Kc.

Borough of Stockbridge.

John Head, Esq;

Essex Stroud, Esq;

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Charles Fox, Esq;

Thomas Fiske, Junior. Esq: by one Inde

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Borough of Warren-Bath

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... Co. N.H.
... F.R.

Henry St. John, Esq.

del, Elgi;

Borough of Maffleborough.

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(50)

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Sir David Fowles, Bar.

Sir Henry Marwood, Bar.

Borough of Pontefrass.

John Vicount Down.

Sir Thomas Tarnborough, Kt.

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(16.)

Port of Hastings.

SIR Denny Ashburnham, Kt.

John Ashburnham, Esq;

Town of Winchelsea.

Charles Earl of Middleton.

Charles Cressel Daper, Esq;

Town

((52))

Town of Rye.

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Charles Lord Marquiss of Worcester.

Town of Brecon.

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Rees Philip, Esq.

Carmarthen 2.

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Town of *Carmarthen.*
Richard Vaughan, Esq.

Carmarthen 2.

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John Griffith, Esq.

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Sir John Trevor, Kt.

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Sir John Conway, Bar.
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Merioneth 1.

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Pembrook 3.

William Barlow, Esq
 Town of *Haverford WcB.*
William Wogan, Esq
 Town of *Pembrook.*
Arthur Owen, Esq

Montgomery 2.

Edward Vaughan, Esq
 Town of *Montgomery.*
William Williams, Esq

Radnor 2.

Richard Williams, Esq
 Town of *New Radnor.*
Owen Wynn, Esq

The number of Commons are in all — 513

FINIS.

(21)

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• 7. 2000000.

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PROCEEDINGS

OF THE House of Commons,

BEGINNING

The 19th. Day of May,

In the First Year of the Reign of our Sovereign Lord King James the Second. Anno Domini 1685.

HIS Majesty being come from *White-Hall* by Water, to the House of Peers, *Westminster*, and there seated in his Royal Throne, adorn'd with his Royal Ornaments; he commanded the Gentleman-Usher of the *Black Rod* (*viz.* Sir *Tho. Duppa*, Knight) to acquaint the *House of Commons*, That 'tis His Majesty's pleasure they attend him immediately when being come to the Bar of the *House*; Sir *Francis North*, Baron of *Guilford*, and Lord Keeper of the Great Seal of *England*, having first received His Majesty's pleasure, spake to this Effect.

A

MY

My Lords,

And you, the Knights, Citizens, and Burgesses of the House of Commons, Am Commanded by His Majesty, to acquaint You, that there are divers Preliminaries for You to do, and several Oaths required by Act of Parliament, for us all to take before you can pursue, That You, Gentlemen of the House of Commons, do go back to Your House, and make choice of a Speaker, and forth and present him to His Majesty at Four of the Clock, and when you have done that and ~~every~~ ^{every} ~~be~~ ^{be} ~~equal~~ ^{equal} Oath, that Majesty will then acquaint you with the Reasons why he call'd you together.

The Commons being return'd to their own House, my Lord Middleton named Sir John Trevor, as a fit Person for their Speaker, and one that would be acceptable to his Majesty; whereupon the Commons unanimously made choice of Sir John Trevor, who took the Chair, and the House Adjourned till Four of the Clock.

Post Meridiem.

His Majesty being again seated on his Royal Throne, adorn'd with the Royal Ornaments, &c. sent the Usher of the Black Rod, to Command the Commons to attend him immediately in the House of Lords; where being come, the Commons presented Sir John Trevor, whom they

had

(3)
and unanimously chose their Speaker. Sir John
endeavour'd to Excuse himself to His Majesty,
being not capable of undertaking a Place of
that great Weight and Importance, as the Of-
fice of a Speaker requir'd; but the Excuse not
being allowed, the Lord Keeper, by His Ma-
jesty's Command, Ratified and Confirmed him
Speaker; adding, That his Majesty was well
satisfied of his Experience and Ability, and that
he was every way fitted and qualified for that
Employment. Mr. Speaker, after having made
a short Speech, giving his Majesty Thanks for
his Gracious Acceptance of him, made these
humble Petitions following.

1. That they and their Servants might be
free from Arrests.
 2. That they might have freedom of Speech.
 3. Access to his Majesty.
 4. That all their proceedings might receive
favourable Acceptance.
- All those the Lord Keeper told him were
readily granted by his Majesty. Which being
done, the Commons returned to their House.
Adjourn'd till Nine to Morrow.

Mercurii 20. May. 1685.

The House being met, began to take the
Oaths and Test, pursuant to the two Acts of
Parliament. The one Entrinuled,

*As to prevent the Danger's which may hap-
pen from Popish Recusants. The other, Instituted,*
A 2

led, *An Address was presented, Read from sitting in the House of Parliament, and began, Alphonso*
cally with the Countess, and the Members
each County took the same in order.
Adjourn'd till to Morrow.

Joins 21 Mar. 1685.

The House finished their taking the Oaths, and it being necessary, in the beginning of a Session, to read a Bill, a Bill to prevent Brewers from being Justices of the Peace, was Read, &c.

Adjourn'd till to Morrow.

Penens 22 Mar. 1685.

His Majesty being come to the House of Peers, and seated on his Royal Throne, with the Imperial Crown on his Head, &c. sent the Gentleman Usher of the Black Rod to command the House of Commons to attend him immediately at the Barr of the Lords House, where his Majesty made a Speech to them.

The House being returned, Mr. Speaker reported his Majesties Speech, which being read at the Clerks Table as followeth.

My Lords and Gentlemen,

AFTER it pleased Almighty God, to take to his Mercy the late King my dear-
est Brother, and to bring me to the peaceable Possession of the Throne of my Ancestors, I immediately

employed to call a Parliament, as the best means to settle every thing upon those Foundations, as may make my Reign both Easy and Happy to you: towards which, I am disposed to contribute all that is in for me to do.

What I said to my Privy Council at my first coming thence, I am desirous to renew to you, where-in I fully declare my Opinion concerning the Principles of the Church of England, whose Members have shew'd themselves so eminently Loyal in the worst of times, in defence of my Father, and Support of my Brother, of Blessed Memory; That I will always take care to Defend and Support it. I will make it my endeavour to preserve this Government both in Church and State, as it is now by Law Established; and as I will never depart from the just Rights and Privileges of the Crown, so I will never invade any Mans Property; and you may be sure, that having heretofore ventur'd my Life in the Defence of this Nation, I will still go as far as any Man in preserving it, in all its just Rights and Liberties; and having given you this assurance concerning the Care I will have of your Religion and Property, which I have chose to do in the same words which I us'd at my first coming to the Crown; the better to evidence to you, that I spoke them not by Chance, and consequently that you may firmly rely upon a Promise so solemnly made.

I cannot doubt that I shall sail of suitable Returns from you, with all imaginable Duty and Kindness on your part, and particularly to what relates to the settling of my Revenue, and continuing it, during my Life, as it was in the life time of my Brother. I might use many Arguments to enforce this Demand, for the benefit of Trade, the

Support of the Navy, the Necessity of the Crown and the well being of the Government it self, what I must not suffer to be precarious, but I am confident, your own Consideration of what is just and reasonable, will suggest to you whatsoever might be enlarged upon this occasion.

There is one Popular Argument which I forego may be used against what I ask of you, from the Inclination Men have for frequent Parliaments, which some may think would be the best Security by feeding me from time to time by such proportion as they shall think convenient; and this Argument it being the first time I speak to you from the Throne I will answer once for all, that this would be a very improper Method to take with me, and that the best way to engage me to meet you often, is always to use me well.

I expect therefore, that you will comply with me in what I have desired; and that you will do speedily, that this may be a short Session, and that we may meet again to all our satisfactions.

My Lords and Gentlemen,

I must acquaint you that I have had News this Morning from Scotland, that Argyle is landed in the West High-lands, with the Men he brought with him from Holland; that there are two Declarations published, one in the Name of all those in Arms, the other in his own; it would be too long for me to repeat the substance of them, it is sufficient to tell you, I am charged with Usurpation and Tyranny, the shorter of them I have directed to be forthwith communicated to you.

I will take the best care I can, that this Declaration of their own Faction and Rebellion may meet

with the most diligent study, and do with me, except
but you will be the more zealous to support the Reg-
ulation, and give the King Reasonable Cause to have de-
fined, & without delay, not to continue on T

Resolved, *Never to Contradict him* all

That the **Humble Thanks** of this **House** be given to his Majesty for his most gracious speech, and **84th** Lords **Consent** desired thereto.

of the Messengers to the Lords, to acquaint them with the Vote of Thanks for this House, and to desire their Concurrence therewith; or, if so be, that the Messengers being returned, acquainted the House, that their Lordships had agreed to the Vote of Thanks for his Majesties most gracious Speech, and that their Lordships had attended his Majesty to know his Pleasure when he would be attended therewith, and his Majesty had appointed, of the Clock this Afternoon, to be attended in the Banqueting House at White-hall by both Houses of Parliament.

Resolved, Nerine Contradicta,

That all the Revenue given to his late Majesty, and enjoyed by him at his Death, be given and granted to his present Majesty King *James* the 2^d. and settled upon him during his Life.

Ordered,

That Mr. Solicitor do bring in a Bill to settle the Revenue on his Majesty during Life.

Ordered,

That the Grand Committee of Elections and
A 4 Privi-

Privileges do fit every Monday, Wednesday, and Friday.

The Committee for Religion on Sundays
The Committee for Religion on Sundays

The Committee for Courts of Justice, and Grievances on *Thursday*.

The Committee for Trade on Saturday:
Arlingford Hall, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 8

The Committee for Trade on Saturdays,
and Adjourned till 9 o'clock on Monday next.
Witness my hand and seal of the said Court
this 23rd day of September 1687.

Mr. Speaker reports his Majesty's answer to their Vote of Thanks for the most gracious Speech, to this Effect, *Speeches* "That his Majesty could say no more to them than what he had said, and they should find he would be as good as his word." I to 350 V 311

Several Petitions, complaining of undue Elections were read, and referred to the Committee of Elections to consider thereof. Widow's

Mr. Ferber's Petition against Mr. Williams, who was returned for *Montgomery*, was read, and ordered to be heard at the Bar.

Sir Joseph Williamson's Petition against Mr. Henningham Mayor of *Thetford*, was read, and ordered to be heard at the Bar.

A Bill to fettle the Revenue on his Majesty during Life, was read, and Ordered a second reading on Monday.

The Earl of *Middleton* delivered a Paper from his Majesty, Entitled, *The Declaration of Archibald Earl of Argyle, and others now in Arms,* &c. viz.

The Declaration of *Archebald Earl of Argyll*, *Cornwall* and *Camball*, *Lord*, &c. Heretable Sheriff and Lieuebant of *Argyle* and *Torbay*, and Heretable Justice General of the laid Shires, and of the *Wess* Isles, and others; with his Orders to his Vassals and others in the laid Shires, and under his Jurisdiction, to concur for defence of their Religion, their Lives and Liberties.

I shall not mention my Case published in Print in Latin and Dutch, and more at large in English, nor need I repeat the Printed Declaration Embellished by several Noblemen and Gentlemen, and others of both Nations now in Arms; but because the sufferings of me and my Family are therein mentioned, I have thought fit to declare for my self, that as I go to Arms with those that have appointed me to Conduct them, for no private or personal end, but only for those contained in the said Declaration, I have Conceded with them and approved of their Design, so I claim interest but in what I had before, the pretended Forfeitures of my Friends, and have sufficient Right so.

And that I do freely, fully, and as a Christian forgive all Personal injuries against my Person and Family, to all that shall not Oppose, but joyne and concur with Us in our present Undertaking, for the mentioned Reasons in the said Declaration. And hereby I oblige my self never to pursue them in Judgment.

And

And I farther Declare, that obtaining the peace-
 able and quiet possession of what belongeth to my Fa-
 ther and my self before our pretended Forfeitures,
 I shall satisfy all Debts due from my Father and
 myself, that as my Faithfulness to his late Majesty
 and his Government hath justly and apparently appeared to all
 unbiased Persons good of malice, so I do with
 grief acknowledge my former too much occupying
 with, and conveying on the methods taken to bring
 us to the sad Condition we are now in, tho' God
 knows never concurring in the Design. I have now,
 with Gods strength suffered patiently my unjust Sen-
 tence and Banishment three Years and a half, and
 have never offered to make any Upstart or Defence
 by Arms, to disturb the State, upon my private
 Complaints. But the King being now Dead, and the
 Duke of York having taken off his Masque, and
 having abandoned and invaded our Religion and
 Liberties, Resolving to enter into the Government.
 and exercising contrary to Law, I think not only
 just, but my Duty to God and my Country, to use
 my utmost endeavours to Oppose and Repress his
 Usurpation and Tyranny.

And therefore being assisted and furnished very
 nobly by several good Protestants, and invited, and
 accompanied by several of both Nations to Head
 them, I Resolve, as God shall enable me, to use their
 Assistance of all kinds towards the ends expressed
 in the said Declaration.

And I do hereby earnestly invite and oblige all
 honest Protestants, and particularly all my Friends
 and blood Relations to concur with Us in the said
 Declaration.

And as I have written several Letters, so having
 no other way fully to intimate my mind to others,

I do hereby Command all my Vassals, every where, and all within my several Jurisdictions, who De-
 serve their Commands, to go to some
 and to join with us according to the said Declaration,
 on, as they will be answerable at their Perils, and
 to obey the partitioned Orders they shall receive from
 me, from time to time, till I shall be pleased
 to alter, and of course on word, but not
 Resolved, *Verba Com. antea non* I remain

That this House will stand by and Assist his
 Majesty with their Lives and Fortunes in De-
 fence of his Royal Person, against all and
 Cambal the pretended Earl of Argile and his
 Adherents, and all other Rebels, and Traytors,
 and others whatsoever, that shall assist them or
 any of them.

And such Members that are of his Majesty's
 Privy Council are desired to wait on his Majesty,
 and to know his Pleasure when this House shall
 attend him, with this Vote.

The Earl of *Middleton* Reports that his Ma-
 jesty had been attended, and that 4 of the Clock
 was appointed to attend upon his Majesty at the
 Bar of the *House of Lords*.

Adjourned till 4 a Clock.

Post Meridiem. 4.

The House attended his Majesty — And
 Mr. *Speaker* acquainted his Majesty with the
 Vote of the House (as aforesaid) to which his
 Majesty was pleased to make this Answer,
viz.

Gentle-

Gentleman,

I Could expect no less from a House of Commons so composed, as (God be thanked) you are, and rely on the assurance you have given me, which was the natural Effect of Monarchical Church of England Men. I shall stand by all such, and so supported, have no reason to fear any Rebels, or Enemies I now hear of or may have.

The Commons returned to their House, and Adjourned till 8 Monday.

June 25. *Mai.* 1685.

Several Petitions against Undue Elections, were Read, and referred to the Committee of Elections.

Ordered,

That a Bill be brought in to continue the Imposition on Coals for the Re-building of the Cathedral of St. Pauls. And that Sir Tho. Exton do bring in an Estimate of the Charge of the Rebuilding thereof.

A Bill for settling the Revenue on his Majesty during Life, was read a Second time, and Committed to a Committee of the whole House.

Immediately Mr. Speaker left the Chair, and the Committee went through the said Bill with Amendments. The House Reassembled—Mr. Speaker Reported the said Bill with the Amendments—To which the House agreed.

Ordered,

Ordered,

That the Bill be engrossed by to Morrow Morning, and that it be read the third time, and Adjourn'd till 8 to Morrow.

Monday 26th May, 1768, at 10 o'clock. Several Petitions of undue Elections were read, and referred to the Committee of Elections. The Engrossed Bill for settling the Revenue on his Majesty, during Life, was read a third time, and Passed.

Ordered, That the Bill be sent up to the House of Lords, which was accordingly done.

A Bill for providing Carriages for his Majesty's Royal Progress, Read, and Ordered a second Reading.

A Bill for the Exportation of Leather, Read, and Ordered a second Reading.

Leave given to bring in a Bill against Hawkers, Pedlers, and Petty-Chapmen, and also for Repair of *Yarmouth Pier*.

Resolved,

That the House do Resolve it self into a Grand Committee this Afternoon about Religion.

Sir *Christ. Mungrove* Reported, Char-man to the Committee of Elections, To which the House agreed.

Adjourn'd till 8 to Morrow.

Mercus

(14)
Mercurii 27 Maii. 1685.

Sir: *Tho. Went*, Chair-man of the Committee for Religion, Reports, That the Committee had drawn up two *Votes*; (*viz.*) That it is the Opinion of the Committee, that this House will stand by his Majesty with their Lives and Fortunes, according to their bounden Duty and Allegiance, in Defence of the Reformed Religion of the Church of *England*; as it is now by Law Established: That all Humble Addresses be presented to his Majesty, to desire him to issue forth his Royal Proclamation, to cause the Penal Laws to be put in Execution, against all Dissenters from the Church of *England*, whatsoever.

The Previous Question being whether the Question should be then put, for the House to agree with the Committee, It was carried in the Negative.

Resolved, *Nemine Contradicente.*

That this House doth Acquiesce, and entirely Rely, and rest wholly satisfied on his Majesty's Gracious Word, and repeated Declaration to Support and Defend the Religion of the Church of *England*, as it is now by Law Established, which is dearer to us than our Lives.

A Message from the Lords to acquaint the House, That their Lordships have passed the Bill for settling the Revenue on his Majesty, during Life, without any Amendments.

The Bill for Exportation of Leather, Read a second time, and Committed.

Ordered,

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Resolved, That the Committee appointed to search
what Laws are expired, and fit to be Re-
newed, and reported to the House, by *Saturday*, next.

Ordered, That *Sir Gilbert Gerrard*, *Sir Theobald Poyer*, *Coll. Whiteley*, and *Coll. Birch*, Commissioners appointed by the late Act of Parliament for disbanding the late Forces, do bring in their Accounts to this House, on *Saturday* Morning next, viz. *Adjourned till Friday*, 8. mo. guided to the
Veneris 29 Maii. 1685.

The House met, and went in a Body to *St. Margarets Church*, to hear a Sermon upon the Subject of the late King *Charles the 2d*, his Birth and Restauration, which was Preached by *Dr. William Sherlock*. Afterwards they returned to their House, and Adjourned 'till *Saturday* 8. mo.

Sabbati 30 Maii. 1685.

Ordered, That the Thanks of the House be given to *Dr. Sherlock*. for his Sermon, and that he be desired to Print the same, in Obedience to the
Sir Theobald Poyer, and *Coll. Whiteley* appearing, were called in, who gave some account of their proceedings in Disbanding the Army, and were Ordered to attend again on *Monday* Morning next.

And

And also that their Accounts and Vouchers be brought in by the Auditor at the same time. And that Mr. Speaker be desired to write to Sir Gilbert Gerrard and Colonel Birch, who are in the Country, requiring them to bring in their Accounts speedily.

A Bill for continuance of an Act for rebuilding of Northampton, Read, and Ordered a second Reading.

A Message from his Majesty by the Usher of the Black Rod, for Commanding the House immediately to attend him in the House of Peers, Where being come, Mr. Speaker presented his Majesty with the Revenue Bill, in hæc Verba.

May it please your Sacred Majesty,

The Commons of England have bere presented Your Majesty with the Bill of Tunnage and Poundage, with all Readings and Chearfulness, and that without any Security for their Religion, tho' it be decare to them than their Lives, relying wholly on your Royal Word for the Security of it, and humbly beseech your Majesty to accept this their Offer; and pray that God would bless you with a long Life, and Prosperous Reign over them.

Upon this, his Majesty gave his Royal Assent to the said Bills, and made a Speech.

My Lords and Gentlemen,

I Thank you very heartily for the Bill you have presented me this Day, and I assure you, the Readiness and Chearfulness that hath attended the Dispatch of it, is as acceptable to me as the Bill itself.

After

After so happy a beginning, you may believe I should not call upon you unnecessarily for an extraordinary Supply : But when I tell you the Stores of the Navy are extremely Exhausted, That the Anticipations upon several Branches of the Revenue, are great and burdensome ; and the Debts of the King, my Brother, to his Servants and Family, are such as deserve Compassion, That the Rebellion in Scotland, without putting more Weight upon it than it really deserves, must oblige me to a considerable Expence extraordinary. I am sure such Considerations will move you to give me an Aid to provide for those things, wherein the Security, the Ease, and the Happiness of my Government are so much concerned, But above all, I must recommend to you the Care of the Navy, the Strength and Glory of this Nation, That You will put it into such a Condition, as will make us Considerable and Respected abroad. I cannot express my Concerns upon this occasion more suitable to my own Thoughts of it, than by assuring you I have a true English Heart, as jealous of the Honour of the Nation as you can be ; and I please myself with the hopes, that by God's Blessing and your Assistance, I may carry its Reputation yet bigger in the World, than ever it has been in the time of any of my Ancestors.

And as I will not call upon you for Supplies, but when they are of publick Use and Advantage, so I promise you, that what you give me upon such occasions, shall be managed with good Husbandry : And I will take care it shall be Employed to the Uses for which I ask them.

Resolved, *Nemine Contradicente,*
That a Supply be given to his Majesty for
Repair

Repair of the Navy, Ordnance, and Stores, and in defence of the same, for all other occasion mention'd in his Majesty's Speech.

Resolved,

That an Imposition on all Wines, and Vinegar be given to his Majesty; and that it be the same which was given to his late Majesty, King Charles the Second, in the 22^d. Year of his Reign.

Ordered,

That Mr. Solicitor do bring in a Bill for that purpose.

Resolved, &c.

That this House doth resolve it self into a Committee of the whole House on *Monday*, to Consider of a farther Supply for his Majesty.

June 1. of June. 1685.

The Bill for Exportation of Leather, Reported with some Amendments, and Ordered to be Engrossed.

A Proviso concerning the Carriers being presented, to be put in the said Bill, was rejected.

A Bill to make the New Church in St. James's, in the Parish of St. Martins in the Fields, Parochial, Read a first time.

A Bill for the Additional Duty of Excise upon Wines, and Vinegar, towards a Supply to be given his Majesty for Repair of the Navy, and Ordnance, and Stores for the same, and for supply of his Majesty's occasions, mention'd in his last speech, Read, and Ordered a 2^d. Reading to morrow.

The

The House then Resolved it self into a Committee of the whole House, to Consider of a farther Supply for his Majesty.

Mr. Speaker left the Chair. Mr. Solicitor took the Chair.

Resolved,

That it is the Opinion of this Committee, that a farther Supply be given to his Majesty, and that the same be raised out of Sugars and Tobacco.

The House Reassumed, and Mr. Solicitor Reported the Votes of the Committee, as followeth (*viz.*)

On Spanish and other Forreign Tobacco 6 *d.* per Pound, be paid more then what is now paid,

On Tobacco of the growth of *English* Plantations, 3 *d.* per Pound, more than what is now paid.

On *Muscavado* and Pannel Forreign Sugar, $\frac{1}{2}$ per Pound more than what is now paid.

On Forreign White Sugars, 1 *d.* $\frac{1}{4}$ per Pound more, &c.

On *Muscavado* Sugars of *English* Product $\frac{1}{2}$ per Pound.

All Sugars else of *English* Plantations $\frac{1}{4}$ per Pound.

To which the House agreed, and Ordered, That Mr. Solicitor do bring in a Bill for a farther Supply for his Majesty, to be raised out of Tobacco and Sugars, to Morrow Morning.

The Accounts of Sir *Tbo. Player*, and Coll. *Whitely*, with part of the Accounts of Sir *Gilbert Gerrard*, and Coll. *Birch*, for Disbanding the late Forces, was thisday brought into the House, and referred to a Committee to Examine the same, and Report their Opinions therein speedily to the House. Adjourn'd till Eight to Morrow.

(20)

Martis 2. Junii. 1685.

Several Petitions complaining of undue Elections, Read and Referred to the Committee of Elections.

The Cause between Sir *Jos. Williamson*, and Mr. *Heweningham* about the Election for *Thetford*, was heard at the Barr. And then Resolved, that no Mayor can duly return himself a Burgess to serve in Parliament for the same Burrough for which he is Mayor at the time of Election.

Resolved, &c.

That *Hen. Heweningham*, Esq; is not duly returned to serve in this present Parliament, for the Burrough of *Thetford*, he being Mayor of the Town.

The Bill for Importation of Wines and Vinegar, was read a Second time, and Committed to a Committee of the whole House, who immediately went through the several Paragraphs, and Amended the same.

Mr. Solicitor Reported the said Bill, and Amendments, To which the House agreed.

Ordered, That the said Bill with the Amendments be Engrossed.

Adjourn'd till 8 to Morrow.

Mercurii 3. Junii. 1685.

The House entering into Debate, whether the Election for *Thetford* should fall on Sir *Jos. Williamson* or not? The House Divided, And it was carryed by 5 Voices, that Sir *Joseph* was not duly Elected.

Order-

Ordered, That a Writ be Issued out for a new Election.

The Bill for providing better Conveniences for the King's Carriages, was Read, and Ordered a Second Reading.

The Engrossed Bill for the Imposition on Wines and Vinegar, was read a Third time, and passed.

Ordered, That Mr. Solicitor do carry the said Bill up to the Lords.

The Bill for Exportation of Leather, read a Third time, and passed, and sent to the Lords.

Ordered, That the Bill for making St. James's Church in St. Martins in the Fields, Parochial, be read to Morrow.

Leave given to bring in a Bill for Enabling the Parish of St. Ann, to raise Money to build their Church.

Adjourn'd 'till 8 to Morrow.

Jeux 4. Junii 1685.

A Bill for making the new Church of St. James's Parochial, read a Second time, and Committed.

Ordered, That a Bill be brought in to Regulate Hackney Coaches, and the Profits arising thereby, be all applied to *Chelsey College*.

The Bill for the more convenient march of the King's Carriages, read a Second time, and Committed.

A Bill for better Collecting of small Tithes, read a First time.

A Message from the Lords, with an Engrossed Bill, to Reverse the Attainder of *William Lord Viscount Stafford*.

Also another to enable the Earl of *Ossery* to make a Joincture.

Complaint being made, that *Julius Dreeds* Esq. ought not to sit in this Parliament.

Ordered, That a new Writ be issued out for a new Election for *Hythe*.

Ordered, That the Election between *Mr. Henry* and *Sir Robert Norris*, be heard at the Bar of the House on *Saturday* come Fortnight.

The Bill for the Encouragement of the Woollen Manufacture, read a First time.

Mr. Done, Chair-man of the Committee for Examining Accounts of Disbanding the late Army, Reported the Accounts of *Sir Tho. Player*, and *Coll. Whitey*.

Adjourn'd 'till 8 to Morrow.

Veneris 5. Junii. 1685.

A Bill to enable the Lord *Bruce* to cut off an Entail to pay Debts.

A Bill to repair *Tarmouth* Peer.

A Bill for Regulating Hackney Coaches.

All Three read, and Ordered a Second reading.

A Bill from the Lords, to hinder Minors from Marrying without their Friends Consent, read the First time.

Coll. Birch appearing, was called in, and Ordered to attend the Committee in the Afternoon with his Accounts.

A Message from the Lords, that their Lordships had passed the Bill for an Imposition on Wines and Vinegar.

Sir John Talbot Reports from the Committee appointed to inspect what Laws are Expired, or near Expiring, and fit to be revived, as follows,
1. An Act of 13 and 14 *Car.* 2d. Intituled, *An*

An Act to prevent the unnecessary Charge of Sheriffs, and for Ease in passing their Accounts.

2. An Act 13 and 14 Car. 2d. Entituled, *An Act for the better Relief of the Poor of this Kingdom.*

3. An Act of 17th Car. 2d. Entituled, *An Act for avoiding unnecessary Suits and Delays.*

4. An Act of the 22 and 23 Car. 2d. Entituled, *An Act for the better settling Intestates Estates.*

5. An Act 29 Car. 2d. Entituled, *An Act to prevent Frauds and Perjuries.*

6. An Act 30 Car. 2d. Entituled, *An Act for Revising the two Forreign Acts of the 17. Car. 2d. and the 22 and 23 Car. 2d.*

7. An Act 19 Car. 2d. Entituled, *An Act for Assigning Orders in the Exchequer without Revocation.*

8. An Act 22 and 23 Car. 2d. Entituled, *An Act to prevent Frauds in Buying and Selling of Cattle in Smithfield, and else-where.*

9. An Act 22. and 23 Car. 2d. Entituled, *An Act to Revisie an Act, Entituled, An Act to prevent the disturbance of Sea-men, and others, and to preserve the Stores belonging to his Majesties Navy-Royal.*

10. An Act 22 and 23 Car. 2d. Entituled, *An Act to prevent the Planting of Tobacco in England, and for Regulating the Plantation Trade.*

11. An Act 13. Car. 2d. Entituled, *An Act to Enable Creditors to recover their Debts of Executors and Administrators.*

12. An Act 13 Car. 2d. Entituled, *An Act for the preventing the frequent Abuses in Printing Seditions, Treasonable, and Unlicens'd Books and Pamphlets, and for Regulating Printing and Printing Presses.*

13. An Act 13 and 14 Car. 2d. Entituled
An Act for providing Carriages by Land and by Water,
for the use of his Majesty's Navy and Ordnance.

14. An Act 20 Car. 2d. Entituled, *An Act for giving Liberty to Buy and Export Leather and Skins Tanned and Dressed.*

15. An Act 13 and 14 Car. 2d. Entituled,
An Act to prevent Theft and Rapine on the Northern Borders of England.

An Act 18 Car. 2d. Entituled, *An Act to continue a former Act to prevent Theft and Rapine, on the Northern Borders.*

An Act 29 and 30 Car. 2d. Entituled, *An Act for Continuing of two former Acts for preventing Theft and Rapine upon the Northern Borders.*

16. An Act 18 Car. 2d. Entituled, *An Act for Encouragement of Coyage,*

17. An Act 25 Car. 2d. Entituled, *An Act for Improvement of Tillage and Breeding of Cattle.*
Ordered, That a Bill be brought in for Regulating the Preys.

The Bill about Coyage was read a Second time, and Committed to a Committee of the whole House, who are to meet to morrow Morning.

Ordered, That the City do bring in an Answer to the Petition of divers Persons for making the River Navigable from *Hockley* in the Hole to *Holbourn Bridge*.

Ordered, That a Bill be brought in to prohibit Forreign Corn, and another to raise the Price of Wool.

A Bill to revive an Act to pay the Lord *Cleaveland's* Debts, read, and ordered a second Reading.

A Bill to enable the Earl of Offory to make a Jointure, read, and Ordered a Second Reading,

A Bill for reverting the Attainder of *William*, late Viscount *Stafford*, read a first time, and Ordered a Second Reading, which Bill is as follows,

Whereas *William*, late Viscount *Stafford*, was impeached of High Treason, for Conspiring the Death of his late Majesty, King Charles the 2d. of Blessed Memory, and the Subversion of the Government.

And was Arraigned and Tried before the Peers in Parliament, for the said High Treason, and was found Guilty thereof, and Condemned and Executed.

And whereas it is now manifest, That the said *William*, late Viscount *Stafford*, was Innocent of the Treason laid to his Charge, and the Testimony whereupon he was found Guilty, false.

Be it Enacted, by the King's most excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament Assembled, and by the Authority of the same: That the said Judgment and Attainder, and all and every Acts and Acts of Attainder of Treason, of, or against the said late Viscount *Stafford*, shall be, and now is hereby Reversed, Repealed, Revoked, Annulled and made void to all intents and purposes, as if the same had never been.

Adjourn'd 'till 8 to morrow.

Sabbati 6. Junii. 1685.

Anthony Eyres took the Oaths of Allegiance and Supremacy, in order to his Naturalization.

Bedford Levett's Bill read, and Ordered a Second reading.

A Bill to enable Protestant-Strangers to exercise Trades in *Westminster*, and other places within the Bills of Mortality, was presented, and Ordered to lye on the Clerks Table.

A Bill for repair of *Yarmouth Pier*, read a second time, and Committed.

Mr. *Miller's* Bill for cutting off an Entail, was read a Second time, and Committed.

The Earl of *Offery's* Bill read a second time, and Committed.

A Bill against Hawkers, Pedlars, and Petty Chapmen, read, and Ordered a second reading.

A Bill for providing Carriages for his Majesty's Navy and Ordnance, read, and Ordered a second reading.

A Bill sent down from the Lords, for reversing the Attainder of *William*, Lord Viscount *Stroford*, read a Second time, and Committed to a Committee of the whole House.

A Bill to prevent Theft and Rapine on the Northern Borders, read a second time and Committed.

An Engrossed Bill for Reviving an Act to provide Carriages for his Majesty's Royal Progress, read a Second time, and passed.

Ordered, That Sir *John Talbot* do carry up the same Bill to the Lords.

The Bill for Naturalization of divers Persons sent down from the Lords, was passed.

A Bill for Erecting a Church in the Parish of *St. Ann*, within the Liberty of *Westminster*, read, and Ordered a Second reading.

Leave given to bring in a Bill for one or more Courts of Conscience within the Lines of Communication. Adjourn'd to *Wednesday 10. June.*

The Case of *Cricklade* Election was reported, and it appearing that *Mr. Fresh* had sometime abated one of the Electors 20 l. on Condition that he and his Friends will give their Votes for him.

The Question was put whether it was not a *Bribe*. *Resolved*, That *Mr. Fresh* is not duly Elected to serve in Parliament.

That *Edward Webb* and *Charles Fox* Esquires, are duly Elected for *Cricklade*.

A Message from his Majesty to this House by *Sir John Ernley*.

That his Majesty did heartily thank the House for their readiness in his Supplies. That he desired no more this Session than what they are about. That he would make trial of the Impositions on Sugars and Tobacco, but if he should find them injurious to his Plantations, he would not make use of them, but hop'd they would supply him some other way.

Then the Bill for an Imposition on Sugars and Tobacco, was read and Ordered a Second reading.

The Case about *Mr. Herbert* and *Mr. Williams*, about the Election for *Mountgomery*, was read at the Barr, which took up near two hours.

The Council then withdrew.

Resolved, That the Election doth not belong to *Mountgomery* only. That the Burgers of *Port Languellan*, and *Kilmidlo*, have a right to Vote in the Election for *Mountgomery*, and that *Mr. Williams* is not duly Elected.

Ordered,

Ordered, That the said Election be vacated, and a Writ be issued forth for a new Election. Adjourn'd 'till 8 to Morrow.

Jouis 11. *Junii*. 1685.

The Bill for Regulating Hackney Coaches, read, and Ordered a second reading.

The Bill against Hawkers, Pedlars, and Petty Chapmen, read a Second time, and Committed.

Ordered, That a Bill be brought in to prevent Symony.

The Bill for re-building of St. Anns Church, read a third time, and passed.

Sir *Jo. Burdett* and Coll. *Web* took the Oaths at the Bar of this House.

Bedford Lovell's Bill read a second time, and Committed.

A Bill for providing convenient Carriages for his Majesty's Navy and Ordnance, read a second time, and Committed.

A Bill to prevent the Importation of Buttons, read, and ordered a second Reading.

A Petition of the Merchants of *Bristol*, concerning the Imposition on Sugars and Tobacco, was tendred, as also,

A Petition of the Merchants to *Virginia*.

Ordered, That they be read to Morrow. Adjourn'd 'till 8 to Morrow.

Veneris 12. *Junii*. 1685.

Sir R. *Temple* Reports from the Committee appointed to Consider of the means to keep up the price of Wool and Corn,

That

109 That it is the Opinion of the Committee,
 not That a Bill be brought in to supply the defects
 in an Act for Improvement of Tillage and Breed
 of Cattle.

That all Persons be obliged to wear the
 Woollen Manufacture for six Months in the Year.

That the *East-India* Company by importing
 raw Silks is prejudicial to the Woollen Manu-
 facture.

That Callico and *East-India* wrought Silks, are
 likewise prejudicial to the Woollen Manufacture.

That all Women under the degree of Gentle-
 women, do wear Hats made of Wool, as formerly.

That all Coaches be lined with Cloath.

That all Shrouds used in Burials do weigh six
 pounds.

To which the House agreed.

Ordered, That a Bill be brought in for the same
 purpose.

A Bill to Revive and Continue several Laws
 Expired or near Expiring, read, and Ordered a
 Second Reading.

Bedford Level's Bill Reported, and Ordered to
 be Engrossed.

A Bill for providing Carriages for his Majesty's
 Navy and Ordnance, read a third time and pas-
 sed, and carried up to the Lords.

The House Resolved into a Committee of the
 whole House, to consider of the Bill for Imposi-
 tions on Sugar and Tobacco.

Whereupon Alderman *Jeffreys*, and others,
 were call'd in, and gave their Reasons, why the
 said Imposition on Tobacco would be prejudici-
 al to the King's Customs, and the Dealers in To-
 bacco.

Sir

Sir *Ja. Knigh*, and the Merchants of *Bristol*, gave their Reasons also against the Imposition on Sugars.

They being dismiss'd — The House reassembled And after several Amendments, the Bill was Reported, and with the Amendments, Order'd to be Engrossed. Adjourn'd 'till 8 to Morrow.

Sabbati 13. Junii. 1685.

The Engrossed Bill sent from the Lords for the Naturalization of several Persons therein mention'd, was read, and Ordered a second Reading. Lease given to bring in a Bill for Conveying of fresh Water through several Grounds to the City of *Rocheſter*.

The Earl of *Offery's* Bill read a Third time, and Passed.

A Bill to prohibit the Importation of *Gunpowder*, and small Arms, read, and Ordered a Second reading.

A Bill to enable Profligate Strangers to exercise their Trade in *Wexminster* and elsewhere, &c. read, and Ordered a Second reading.

A Message from his Majesty by the Earl of *Middleton*, that the Duke of *Monmouth* and several of his Adherents were Landed at *Lime in Dorset-shire*, and there set up his Standard.

Mr. *Thorold* and Mr. *Dassel*, the one Mayor of *Lime*, the other an Officer belonging to the Customs, being in the Lobby of the House of Commons, were called into the House, where they gave this Account of the Landing of the Duke of *Monmouth*, as followeth, viz.

That

That on *Thursday* Night about 6 or 7 of the Clock, they discerned two Vessels and a Dogger at Sea, hovering near their Shoar.

That they sent a Messenger in a Boat to know their meaning, and see who they were, but they took the Messenger on board and bound him.

That about half an hour after, they sent another Messenger in a Boat, and they kept him likewise, that about 9 a Clock at Night they sailed into the *Cobh*, and the Duke of *Monmouth* came on Shoar with divers Men all well Armed, and Gentle in their Habit.

That the Duke led them on to the Market place, or Cross of the said Town, and there set up his Standard, being a blew Flag, and Exercised the Men himself, who were, as these Informants do guess, near 150, or thereabouts.

That the said Duke of *Monmouth* and his Men being asked what they came there for, said, to settle the Protestant Religion, and to destroy Popery. Inviting all Persons that would, to come and join with them, being told, there were no Roman-Catholicks there, but Protestants, and there was need for them to come there.

That these Informants came away from *Lyme* about 10 of the Clock that Night, and that they met many People on the Road, who said, they were going to join them.

After which Relation *Thorold* and *Dassel* withdrew.

Resolved, That this House do wait on his Majesty, and give their Thanks for his Favour in imparting the said Intelligence to this House, and do humbly offer to assist and stand by his Majesty with their Lives and Fortunes, against the

the said Duke of *Monmouth*, and all Rebels and Traytors, and all other his Majesty's Enemies, whatsoever.

Ordered, That a Committee do withdraw immediately, and draw up an humble Address for this purpose; and that his Majesty be Advised to take care of his Royal Person.

Resolved, That a Bill be brought in for the Attainder of *James Duke of Monmouth* of High Treason, Praying his Majesty to Issue out his Royal Proclamation, promising a Reward of 5000 l. to any that shall bring in the Body of the Duke of *Monmouth* dead or alive.

Adjourn'd 'till 9 to Morrow.

Marris 16. Junii. 1685.

A Message from the Lords that they had passed the Bill of Attainder of *James Duke of Monmouth*, without any Alteration.

A Bill to Prohibit the Importation of Gunpowder and small Arms, read a second time, and Committed.

A Bill for preventing Theft and Rapine on the Northern Borders, was Reported, and Ordered to be Engrossed.

A Bill to Revive and Continue several Laws expired, or high expiring, read a second time, and Committed.

A Message from the Lords, that they had passed a Bill for an Imposition on Sugars and Tobacco, without Alteration.

A Message by the Usher of the Black Rod, Commanding the House to attend his Majesty immediately in the House of Peers. — Where being come,
His

(33)

His Majesty was pleased to give his Royal Assent to these 5 Bills following; (*viz.*)

The Bill for Imposition on Wines and Vinegar.

The Bill for Imposition on Sugars and Tobacco.

The Bill for Attainder of James Duke of Mon-

mouth, The Earl of *Ossery*'s Bill to enable him to

make a Jointure, and a Bill for Naturalization of several Persons.

A Bill for Naturalization of several Persons.

After which the Commons returned to their House,

A Bill for draining *Lindsey Level* read and rejected.

Leave given to bring in a Bill for Naturalization of several poor French Protestants.

A Bill for Encouraging of Woollen Manufacturers, read, and Ordered a second Reading.

A Bill for Explaining the Laws against Transportation of Wool, read, and Ordered a second reading.

Ordered, That a new Writ be issued forth for a new Member of *Stafford*, in the Room of *Henry Goring*, Esq; Deceased.

Adjourn'd 'till 9 on Wednesday.

Mercurii 17 Junii. 1685.

A Petition of the Weavers in *London* and parts adjacent, was read, praying leave to bring in a Bill for encouraging the Weaving Trade.

Ordered, That leave be given accordingly.

Sir *Ph. Mugerave*, Chair-man of the Committee of Elections, Reports from the Committee,

C that

that Sir *90. Williamson* and Major *de Grady*, the duly Elected for *Thetford*.

To which the House agreed.

Ordered, That the Deputy Mayor do attend and mend the Return.

A Message from the Lords, that they had agreed to two several Bills, the one for Necessary Carriages for his Majesty's Progress, the other for the Navy and Ordnance.

The Bill for Erecting a Church in the intended Parish of St. *Ann's*, in *Westminster*, Reported, and Ordered to be Engrossed.

A Motion being made for a Supply to his Majesty.

Resolved, That the House immediately do Resolve it self into a Committee of the whole House, to consider of the said Supply.

Reports were made from the Committee,

That a Tax be laid upon such New Buildings as have been Erected within the Bills of Mortality, except such Houses as have been built within the compass of the late several Fires in *London* and *Southwark*.

That no Buildings be Erected on New Foundations which are not already laid. And that a Bill be brought in accordingly. To which the House agreed.

Adjourn'd 'till 9 to Morrow.

(L. 35)
your 18 June. 1685.

A Bill for Improvement of Tillage and breed of Cattle, read, and Ordered a second Reading.
Leave given to bring in a Bill, to make the River *Wye* and *Lugg* Navigable.

A Bill for conveying fresh Water to *Recheſter* and *Chatham*, read, and Ordered a second reading.

A Meſſage from his Maſteſty by the Earl of *Middleton*, acquainting the Houſe, That he judges it neceſſary for the Members (on whoſe Loyalty he depends) to be preſent in their Reſpective Counties, and therefore deſigns there ſhall be a recess in very few days, but becauſe the Rebellion in the *Welſ* will occaſion an extraordinary Expence, his Maſteſty deſires there may be a good Fund for a preſent Sum of Money, to answer the immediate Charge his Maſteſty muſt be at, and to the end the Bills now depending may not be prejudiced, his Maſteſty is pleaſed this ſeparation ſhall be an Adjournment, and for ſome ſhort time only.

Reſolved, That a Supply not exceeding 400000 *l.* be given to his Maſteſty, for his preſent extraordinary occaſions.

The Houſe then Reſolved into a Committee of the whole Houſe, to conſider of the King's Meſſage and Supply.

The Houſe upon Report of the Grand Committee, appointed a Committee to bring in an Eſtimate of what new Buildings (intended to be Taxed) will raiſe at two Years full value.

A Bill for taking off the Prohibition of *French*

Com-

Commodities, read, and Ordered a second reading.

A Bill for repairing and re-building of St. Paul's Cathedral, read, and ordered a second reading.

An Engrossed Bill sent from the Lords, for disabling Minors, to Marry, read a second time, and Committed.

The Engrossed Bill for better recovery of small Tythes, read a Third time, and passed.

Adjourn'd till 9 to Morrow.

Veneris 19 Janu. 1685.

An Engrossed Bill sent down from the Lords, for enabling his Majesty to make Leases of Lands in *Cornwall*, read, and Ordered a second reading.

The Bill for preventing the Importation of Gun-powder and small Arms, Reported, and Ordered to be Engrossed.

A Bill for Conveying Fresh Water to *Rocheſter* and *Chatham*, read a second time and committed.

A Bill for Registring several Estates, Titles, and incumbrances of Lands, read, and ordered a second reading.

A Bill sent down from the Lords for settling the Queen's jointure, read, and ordered a second reading.

A Bill for preservation of his Majesty's Person and Government, was read twice, and committed to a Committee of the whole House to morrow Morning.

A Bill for reviving and renewing of several Laws expired, or near expiring, Reported, and Ordered to be Engrossed with some Amendments and Clauses to be added.

Adjourn'd till 9 to morrow.

Sabbath 20 Junii. 1685.

The Bill of St. James's Parish Reported, and ordered to be Engrossed.

A Message from the Lords with a Bill for rebuilding the Earl of Powis's House in Lincoln's-Inn-fields, lately burnt down.

A Bill to enable Mr. Savory of Exeter, to take upon him the Surname of *Searle*,

And that the Lords have agreed to the Bill for *Yarmouth Pier*, and to Mr. Miller's Bill without Amendments.

The Bill sent down from the Lords for Consolidating and setting the Estate of his Majesty's in the Post-Office, and 24000 *l.* per An. of the Excise, and the Bill to enable his Majesty to make Leases of Lands, in the Duchy of Cornwall, were read a Second time, and ordered to be read a third time.

The House Resolved into a Committee of the whole House, to consider of a Fund to raise the Supply not exceeding the 450000 *l.* to his Majesty.

Upon Report of the Committee of the whole House. They agreed,

That *French* Linens pay double Duties according to the Book of Rates.

That single Brandy Imported, pay double Duty.

That all Brandy above double proof, pay duty above what is now to be laid on single Brandy.

That 4 *d.* per Gallon be paid for all home-made Spirits, above what is now paid.

That Callicoes and other Linens, Imported
C 3 from

from the *East-Indies*, pay 12 *d.* per Piece above what they now pay, to be repaid upon Exportation.

That wrought Silks Imported from the *East-Indies*, pay 10 *l.* per Cent. above what they now pay, to be repaid upon Exportation.

That all Foreign wrought Silks pay 7 *l.* per Cent. above what they now pay, to be repaid upon Exportation. To which the House agreed, and Ordered a Bill to be brought in accordingly, Adourn'd till 9 to morrow.

June 22 Junii. 1685.

The Bill sent from the Lords for rebuilding the Earl of *Ross's* House was read, and Ordered a second Reading.

A Bill for Naturalization sent from the Lords, read a second time and Committed.

The Bill for Conveying Fresh-water to *Roche-ster* and *Chatham*, Reported, and Ordered to be Engrossed.

Ordered, That leave be given to bring in a Bill for the Encouragement of the Manufacture of Paper in *England*.

The two Bills sent from the Lords, one for Consolidating his Majesty's Interest in the Post-Office, and 24000 *l.* per Ann. in the Excise: The other, to enable his Majesty to make Leases of Lands in the Dutchy of *Cornwall*, were read a Third time, and passed.

Another to prevent Theft and Rapine in the *Northern Borders*, passed.

The Engrossed Bill against Hawkers, Pedlers, &c. read a third time, and passed.

A Bill for re-building *St. Paul's Cathedral*, read a Second time, and Committed. The

The Lord *Middleton* acquaints the House from his Majesty, that *Argile* is taken.

Ordered, That the Thanks of the House be presented to his Majesty, for his gracious Commutation, which they receiv'd with great Joy and Satisfaction.

The Engrossed Bill for reviving several Laws near expiring, read a third time, and passed.

A Bill against Bankrupts, read a second time, and Committed.

Adjourn'd 'till 9 to morrow.

Marris 23 *Junii*. 1685.

The Earl of *Powis's* Bill read a second time, and Committed.

The Engrossed Bill for the Parish of *St. James's* in the Liberty of *Westminster*, passed.

Leave given to bring in a Bill for Relief of Widows and Orphans of *London*.

An Engrossed Bill for the Parish of *St. Anns* in the Liberty of *Westminster*, passed.

A Bill for an Imposition on Callicoes, Brandy, Silks, and other Merchandises imported, read, and Ordered to be read again to morrow Morning.

The Bill for re-building *St. Paul's Church*, Reported, and Ordered to be Engrossed.

The House then resolv'd it self into a Committee of the whole House, to consider of a Bill for Coynage.

The Bill was agreed to, and Ordered to be Engrossed.

Adjourn'd 'till 9 to Morrow.

48
Monday 24. Junii. 1685.

A Bill for suppressing Symony, read and Committed

Lord Pownes Bill, read a third time, and passed.

Leave given to bring in a Bill for Registering the Death, Burials, Marriages, and Issues of the Nobility and Gentry of *England*.
A Bill to repeal a Clause in an Act of Prohibiting of *French* Commodities, &c. read a second time, and Ordered to be Engrossed.

The Bill for an Imposition on Silks, Brandies, *East-India* Commodities, &c. read a second time, and committed to a Committee of the whole House, to consider of the Bill, with power to bring in a Clause of Credit to raise Money for his Majesty's Supply.

Mr. Solicitor Reported the said Bill, with some Amendments: The Bill Commencing from the First of *July*, 1685, till the First of *July*, 1699. And a Clause to be added, for giving the King a Credit for raising a Summ on this Revenue, at Interest, not exceeding the rate of 8 *per Cent*.

Ordered, That the Bill and Clause be Engrossed, Adjourn'd till 9 to morrow.

Tues 25 Junii. 1685.

The Engrossed Bill for Repealing a Clause for Prohibiting *French* Commodities, Passed.
An Engrossed Bill for re-building *St. Pauls*, Passed.

The

The Bill for an Imposition on Silks, Brandies, Linnens, &c. with the Clause of Credit to his Majesty, Passed, and carried up to the Lords.

Adjourn'd 'till 9 to morrow.

Veneris 26 Junii. 1685.

Two several Bills for Relief, and discharge of poor distressed Prisoners in Debt, be read, and Ordered a second reading.

An Engrossed Bill for Improvement of Tillage, Passed.

The House then according to their Order, Resolved into a Committee of the whole House, to consider of the Bill for Preservation of his Majesty and Government.

A Message from the Lords, that they had passed the Bill for the Parish Church of St. Ann.

The Bill for an Imposition on Brandies, Silk, and Linnens, &c.

The Bill for Regulating a Clause for prohibiting *French Commodities*.

The Bill for Naturalization, &c.

The Bill for Encouragement of Coynage.

Leave given for bringing in a Bill for suppressing Perjury.

Adjourn'd 'till 9 to Morrow.

Sabbati 27 Junii. 1685.

A Bill for regulating the Deaths, Burials, Marriages, and Issues of the Nobility and Gentry of England, read, and Ordered a second reading.

A Bill for Erecting a Court of Conscience in Westminster, Southwark, Tower-Hamlets, and other
pla-

places, read, and Ordered a second reading.
An Enrolled Bill to the Encouragement of the building of Ships, *passed.*

His Majesty sent for the *Commons* to the House of Peers, and there the Bill for his Majesty's Supply, and several other Bills passed the Royal Assent.

The House of Commons being returned,

The Bill for preservation of his Majesty's Person and Government, was Reported, and Ordered to be Engrossed.
Adjourn'd till Monday Morning.

June 29 June 1685.

The Bill for Registering the Deaths, Burials, Marriages, and Issues of the Nobility and Gentry of *England*, was read a second time, And upon a division of the House, laid aside, and a new Bill Ordered to be brought in for the same purpose.

Upon a Report from the Committee, appointed to inspect the Accounts of the Commissioners for disbanding the late Forces.

The same Committee was appointed to bring in a Bill, for the better taking and settling the said Accounts.

A Bill for a general Naturalization of *French* Protestants, now residing in *England* and *Wales*, and all such others as shall come over within a certain limited time, was read, and Ordered a second Reading.

A Bill for a general Register of Estates and Titles, and Incumbrances, was read a second time, and Committed.

An Engrossed Bill for the preservation of his Majesty's Person and Government, read a third time, and Passed.
Adjourn'd 'till 9 to morrow.

Martis 30 Junii. 1685.

A Bill sent from the Lords for repair of the Cathedral of *Bangor*, being Reported, was read a third time, and passed.

A Bill for relief of Widows and Orphans of the City of *London*.

A Message from the House of Lords,

That they had passed the Bill, for Erecting a Parish at *St. James's*.

That they had passed the Bill to encourage the building of Ships in *England*, without alteration.

And likewise the Bill for reviving Temporary Laws, with Amendments, which were agreed to. Leave given to bring in a Bill to repair and Enlarge the High-ways.

The Debate arising concerning the taking away a Custom formerly used in *London*, for constraining Orphans Money to be paid into the Chamber of *London*. The Debate was Adjourned 'till to morrow.

Adjourn'd 'till to morrow.

Mercurii July 10. 1685.

A Bill for a general Naturalization of *French* Protestants, read a second time, and Committed. And a Clause to be added. That

That the Liturgy of the Church of England Translated into *French*, be used in the *French* Churches in England, and that none have benefit of Naturalization, if they dissent from the Church of England.

Adjourned till 9 to Morrow.

Jours 2. *Julii* 1685.

The House being met, the Gentleman Usher of the Black Rod, Commanded the Commons to attend His Majesty in the House of Peers immediately, where being come, His Majesty gave his Royal assent to these following Bills.

An Act for the Improvement of Tillage, &c.

An Act for making St. James's a distinct Parish.

An Act for the better Management of building Ships.

An Act for reviving several Acts Expired, near Expiring.

An Assent the augmentation of the Vicarages in the Bishoprick of Bangor.

Then my Lord Keeper spake to this effect.

My Lords, and Gentlemen,

I Am Commanded to let you know, that it is his Majesty's Pleasure, that both Houses adjourn to-morrow, till Tuesday the 4th of August next, not that his Majesty intends that then there shall be a Session, but that the Members that are about Town, shall then meet, and Adjourn themselves from time to time, as there shall be occasion till Winter, and when his Majesty would have a full House, he will give notice of it by Proclamation.

The Lords immediately Adjourn'd.

The Commons returned to their own House, and Adjourn'd accordingly.

Marris

Martis 4. August. 1685.

The Parliament being met according to their last Adjournment, and his Majesty present in the House of Peers.

A Commission was read to this purpose.

T*hat whereas our Trusty and well Beloved Cousin and Counsellor, Francis Lord Guilford, Lord Keeper of the Great Seal of England. Through indisposition of Body, cannot be present, we therefore thought fit to Constitute and appoint our well beloved Cousin and Counsellor, Laurence, Earl of Rochester, and High Treasurer of England, to supply his place, as Speaker to the House of Lords, &c.*

The Lord Treasurer then spake to this Effect, **I***Am Commanded by his Majesty, to acquaint you, That it is his Majesty's Pleasure That your Lordships do forthwith Adjourn your selves to the Ninth day of November next.*

The Lords Adjourn'd immediately.

The Commons receiving intimation of his Majesty's pleasure from the Earl of Middleton. Adjourn'd Accordingly.

F I N I S.

HOUSE OF COMMONS
 IN PARLIAMENT ASSEMBLED
 THE 11th DAY OF APRIL 1851
 REPORT
 OF THE
 SELECT COMMITTEE
 APPOINTED IN 1846
 TO INQUIRE INTO
 THE
 STATE OF THE
 LANCASHIRE
 COAL-FIELDS
 IN ANSWER TO A
 RESOLUTION PASSED
 IN 1846
 BY THE
 HOUSE OF COMMONS
 LONDON
 PRINTED BY
 J. JOHNSON, ST. PAUL'S CHURCH-YARD
 1851

Adm. in 1810 of 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 245



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